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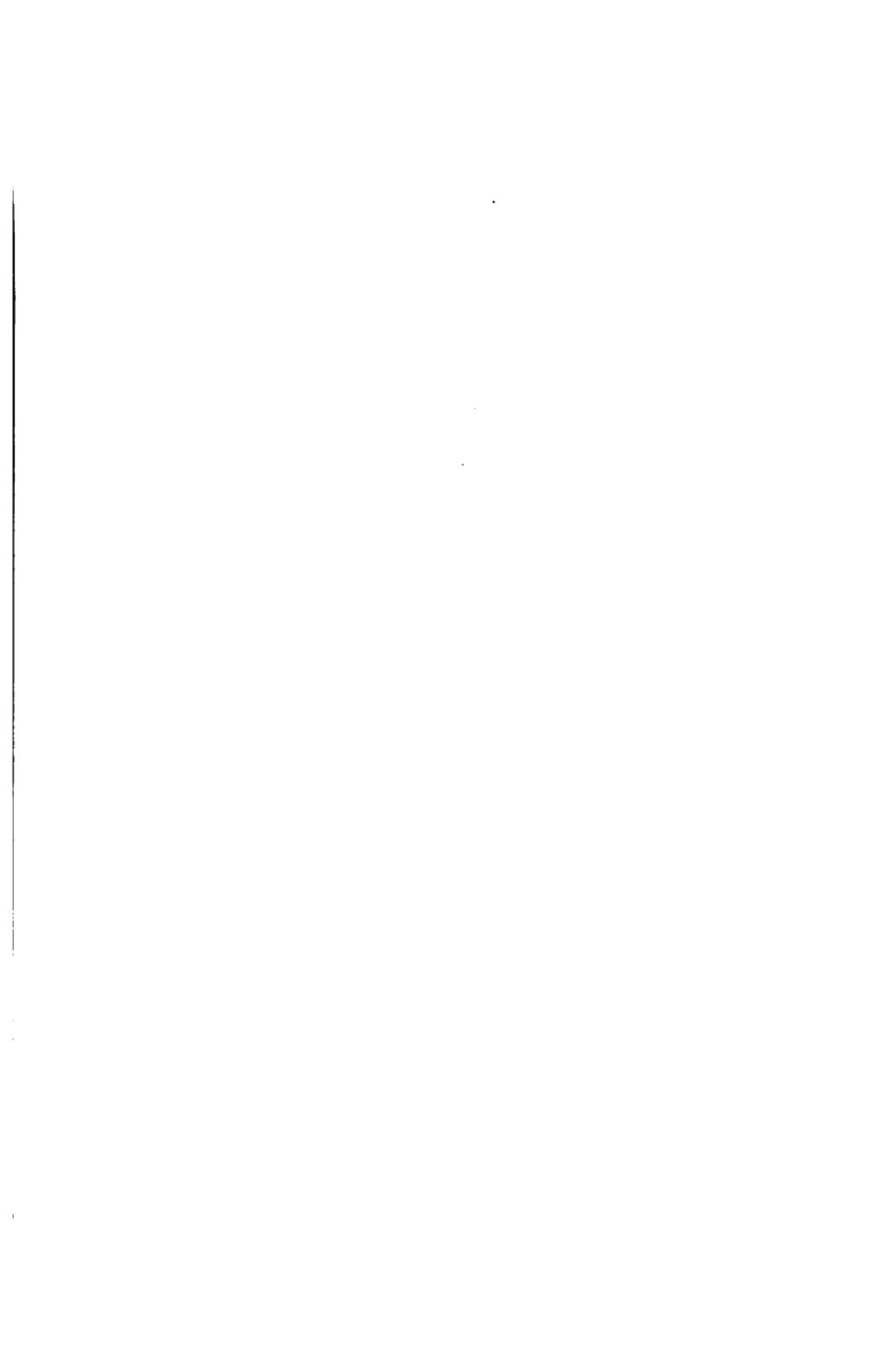
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**GOVERNMENT
OR
HUMAN EVOLUTION**

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**GOVERNMENT
OR
HUMAN EVOLUTION**

GOVERNMENT
OR
HUMAN EVOLUTION
*
JUSTICE

BY

EDMOND KELLY, M.A., F.G.S.

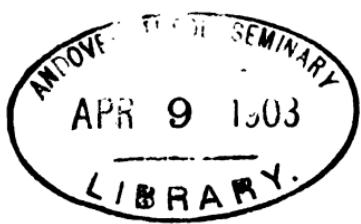
LATE LECTURER ON MUNICIPAL GOVERNMENT AT COLUMBIA UNIVERSITY
IN THE CITY OF NEW YORK
AUTHOR OF 'EVOLUTION AND EFFORT'

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PREFACE

THE problem of human government naturally divides itself into two parts : one which concerns students only because it deals with theory ; and one which concerns all because it deals with practice. These two should not be separated, for they are essential parts of one whole. But unfortunately the busy citizen has insufficient time even for the solution of practical problems ; for those that are theoretical he has neither time nor inclination. It has been deemed advisable therefore to publish the present work on human government in two parts—the first of which, under the sub-title of Justice, deals mainly with fundamental problems of theory ; the second, under the sub-title ‘ Individualism and Collectivism,’ will deal with probably the most practical issue of the day.

For the benefit of those who have not time to read the first volume its conclusions will be briefly recapitulated in the second.

The conditions under which this book has been

written may not be without interest to the reader, for it is not the result of mere theoretical speculation, but rather of a particular experience in practical politics worth recounting :

During the winter of 1891-1892 a few New York citizens met for the purpose of considering how, if at all, Tammany Hall—which was then in undisputed possession of the city—could be overthrown. Previous combinations to that end had failed, owing in great part to lack of permanence. The majority, who desired good government for the general benefits good government confers upon the many, were governed by an insignificant minority in the interests of that minority, because, in the first place, the majority were so scattered that they did not have an opportunity for collective action, and because, in the second place, the majority were so busy that they did not have the time necessary to cope with the practical politician who made politics the business of his life. The practical politician attends to politics every day of every year; whereas the amateur attends to politics, if at all, only a few weeks before election. It was conceived that no permanent organisation in favour of good government could be maintained unless the organisation had a permanent abiding-place, and as no single roof could cover an organisation large enough sensibly to affect politics the original plan was to begin by organising a single central social club to this end, and to organise thereafter a series of affiliated clubs which would work in co-operation with the one first organised.

The first club, called the 'City Club,' was successfully constituted in 1892, and was composed of the wealthiest and most public spirited men in the city ; but this club once organised, its governing body declined to undertake the responsibility of organising affiliated clubs. Those bent on carrying out the original plan, however, proceeded by individual initiative to organise other clubs for a similar purpose, and in a few months not a district in the city was without one. They styled themselves 'Good Government Clubs,' and were distinguished by letters of the alphabet.

The combination of clubs so organised undoubtedly contributed to the overthrow of Tammany Hall in 1894, but the lack of centralisation, owing to the refusal of the governing body of the City Club to carry out the original programme, soon made itself felt. Every club undertook to manage the political affairs of the district in which it was situated, without regard to the others ; and it frequently happened that Bills drawn up under the auspices of one set of these clubs were bitterly opposed by others, so that when the day for discussing these Bills before the Legislature arrived, Good Government Clubs A, B, C, D, and E would be found joined in eager support of measures that Good Government Clubs P, Q, R, S, and T were equally bent on defeating.

One of the important conclusions to be drawn from this state of facts was that mere good government did not in itself constitute a platform upon which a political party could be maintained. Upon every question that comes up for governmental action a party must take one side

or the other ; and it must have some principle or platform that determines, as it were, in advance the side it will take on every important issue presented. Parties that survive are organised either on lines of temperament as in England, or for the purpose of carrying out a premeditated political programme as in America. The Good Government Clubs had no political programme except the defeat of Tammany Hall : once Tammany Hall was defeated, they split into as many factions as there were local questions at issue.

To those who had taken part in the organisation of these clubs the profound differences of opinion that were revealed presented a discouraging problem of no small importance. It was obvious that the movement, in so far as it was an effort for permanent organisation, had failed ; and there seemed little reason for hoping that, so long as well-intentioned men differed to the extent described, permanent organisation for assuring good government was in any way possible.

Underlying the questions of detail which occasionally determined the action of these clubs, there were certain questions of principle involved upon which no two men could be found to have exactly the same opinion ; and not only did men differ from one another, but they differed from day to day with themselves, invoking one principle one day, and yet supporting a Bill diametrically opposed to this principle the next. For example, one of the points upon which Good Government Clubs were supposed to agree was that cities should govern themselves and not be governed by State Legis-

latures ; in other words, Home Rule was loudly advocated by all these clubs in the city of New York as opposed to government by the Legislature at Albany. Nevertheless, the first thing which the Good Government party did upon getting into power was to secure legislation in Albany for the express purpose of removing from office certain municipal officials who had been elected by the city for a term of years not yet expired. Again, the subject of rapid transit was at that time violently interesting the public mind ; the working men of the city were, almost to a man, in favour of construction by the city ; the Good Government Clubs began by vigorously opposing this idea, and ended by splitting upon it. But the question upon which the Good Government Clubs most fell to pieces was as to whether at the next election Good Government Clubs were to undertake to run candidates of their own, in spite of the relative unimportance of their membership, or whether they were to recognise the existence of political parties whose numerical importance seemed to make it necessary for them to affiliate either with one or the other. In the discussion of these questions there were various fundamental questions which perpetually recurred ; some presented arguments of expediency, others denounced arguments of expediency and insisted upon the application of abstract justice ; some were for increasing the power of the city, some, on the contrary, for diminishing it to the least possible; some showed a tendency to favour Collectivism ; others, on the other hand, argued in favour of *laissez faire*.

In the confusion and shock of these various conflicting opinions, one fact stood out with startling conspicuousness. Not one out of a thousand was able to formulate a clear idea as to the principles upon which he stood ; upon one measure he was an Individualist ; upon another, a Collectivist ; one day he was for strong governmental action ; the next for liberty of contract ; and of those who presented the claims of expediency and justice respectively, no one was able to say what justice was.

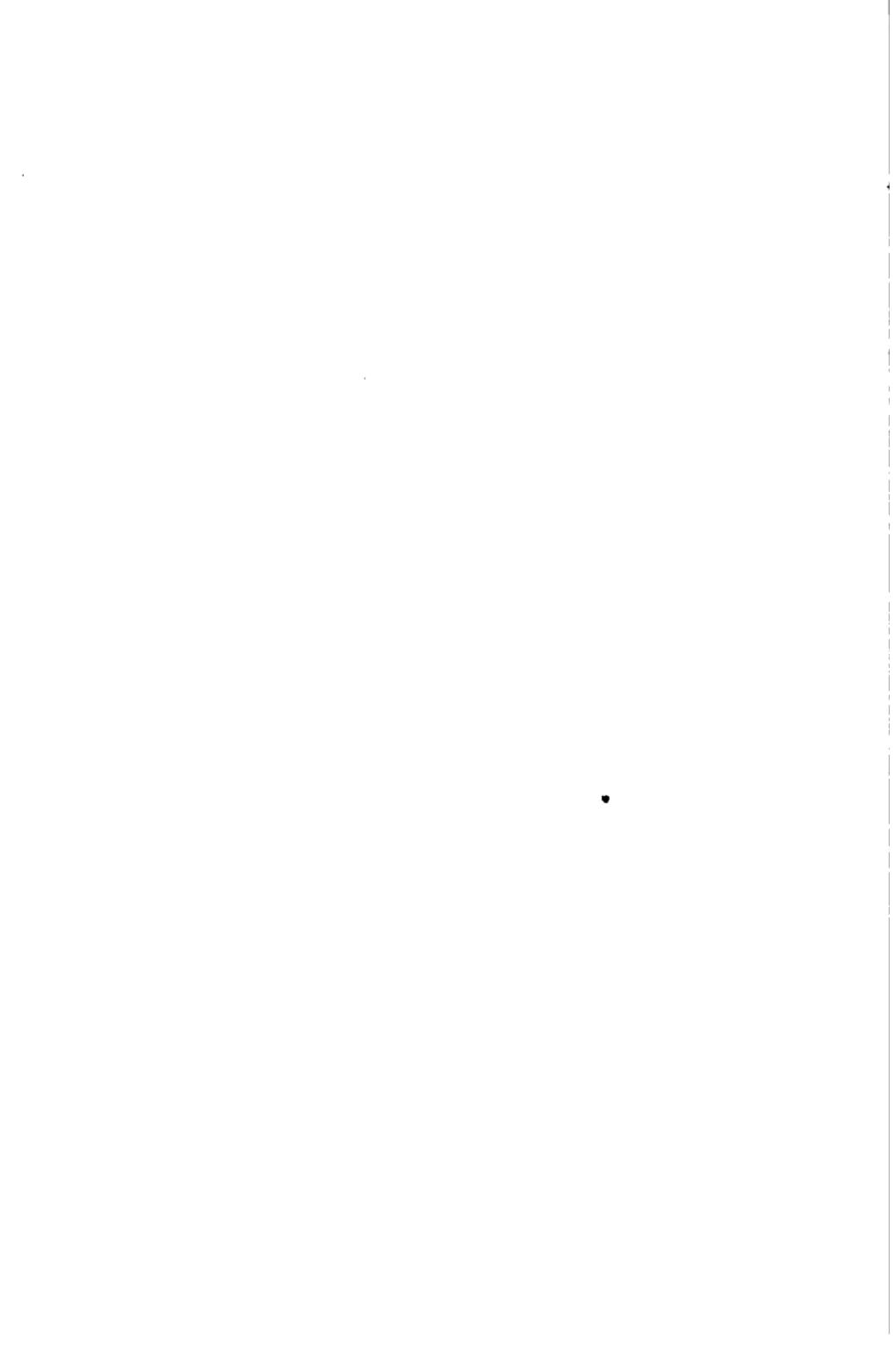
Under these conditions it was deemed indispensable carefully to study the issues which stand at the foundation of all political discussions, and to come to some definite conclusions regarding these before attempting to solve the problems that involve them.

This book is an attempt to discuss these issues. It was begun under a strong bias in favour of Herbert Spencer's philosophy of evolution and against Socialism of every kind, but with a reluctant recognition that by collective action only could the uncorrupted many be rescued from the corrupt few, and could successful effort be made to diminish the misery of poverty and crime.

Where Individualism should end and collective action begin, where the doctrine of *laissez faire* should give place to the gospel of effort, where expediency should yield to justice, and above all what this justice is which we all of us aim at and none as yet is able to define, it has been attempted in this book to study.

I desire to acknowledge my indebtedness to Professor H. S. Foxwell, who has read over the entire manuscript,

and to Professor William James, Professor E. R. A. Seligman, Dr. J. N. Langley and Dr. George L. Peabody, to whom various parts of the manuscript have been submitted respectively; also to Professor H. S. Osborn, and to those who were lately my colleagues in the Faculty of Political Science of Columbia University in the city of New York, particularly amongst them to Professor W. A. Dunning, Professor Frank J. Goodnow and Mr. C. E. Merriam, Jr. All have contributed invaluable suggestions, and saved me from many a slip.



CONTENTS

	PAGE
PREFACE	v
INTRODUCTORY CHAPTER	1

BOOK I

NATURE

CHAPTER		
I.	NATURAL LAW, NATURAL RIGHTS	13
II.	NATURE DISTINGUISHED FROM ART	33

BOOK II

EVOLUTION

PREFACE TO BOOK II.	53
I. NATURAL EVOLUTION	55
II. HUMAN DISTINGUISHED FROM NATURAL SELECTION	76
§ 1.—INTRODUCTORY	76
§ 2.—RÔLE OF RELIGION IN HUMAN SELECTION	83
§ 3.—ANALYSIS OF HUMAN EVOLUTION	87
§ 4.—CLIMATE	90
§ 5.—STRUGGLE FOR LIFE BETWEEN MAN AND THE LOWER ANIMALS	95

CHAPTER		PAGE
II. HUMAN DISTINGUISHED FROM NATURAL SELECTION—(continued)		
§ 6.—STRUGGLE FOR LIFE BETWEEN MAN AND MAN	101	
(a) <i>In the same Community</i>	101	
(b) <i>In different Communities</i>	102	
§ 7.—SEXUAL SELECTION IN MAN	103	
(a) <i>The Evolution of Self-restraint</i>	112	
(b) <i>Marriage</i>	125	
§ 8.—SUMMARY	133	
III. HUMAN CONTRASTED WITH NATURAL ENVIRONMENT		138
§ 1.—PRIMARY AND SECONDARY, OR NATIONAL AND INTER-NATIONAL ENVIRONMENT	138	
§ 2.—EFFECT OF WEALTH ON TYPE	150	
§ 3.—THE ELEMENT OF TIME IN NATURAL AND IN HUMAN EVOLUTION	157	
§ 4.—THE DEVELOPMENT OF MAN AFTER BIRTH IS THE RESULT OF EDUCATION RATHER THAN OF HEREDITY	164	
§ 5.—CONCLUSION	171	
IV. HUMAN EVOLUTION IN ITS RELATION TO GOVERNMENT		175

BOOK III

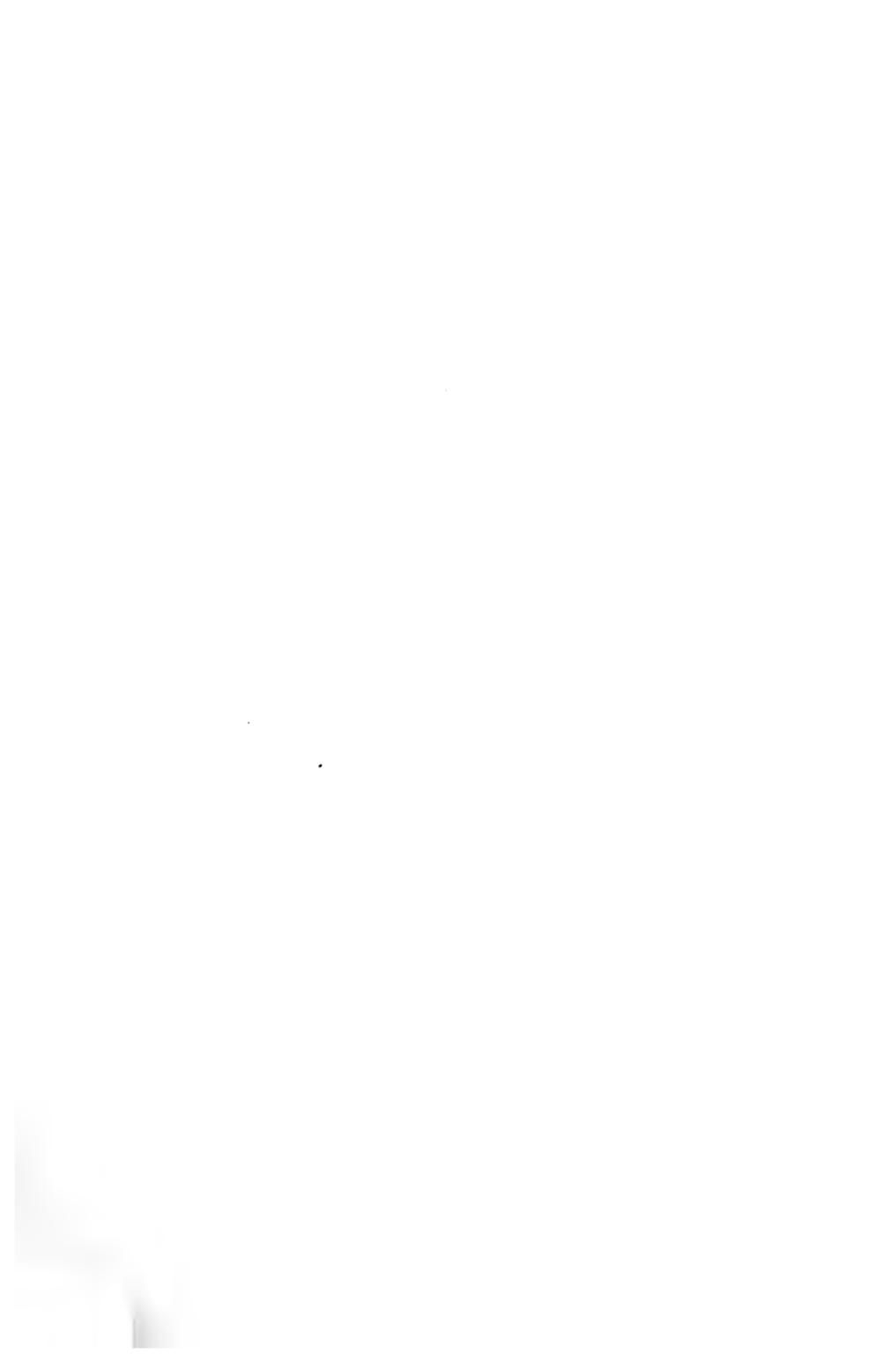
GOVERNMENT

I. WHAT IS GOVERNMENT?	211
II. IS SOCIETY AN ORGANISM?	239
III. JUSTICE.	275
§ 1.—NATURAL JUSTICE: SO-CALLED	275
§ 2.—A FEW EXISTING DEFINITIONS OF JUSTICE	279
§ 3.—EVOLUTION OF JUSTICE	283
§ 4.—NATURAL SOCIAL EVOLUTION CONTRASTED WITH HUMAN SOCIAL EVOLUTION	285
§ 5.—FIRST ATTEMPT TO DESCRIBE JUSTICE	288

CONTENTS

XV

CHAPTER	PAGE
III. JUSTICE—(continued)	
§ 6.—RIGHTS UNDER THE LAW OF MAN CONTRASTED WITH SO-CALLED RIGHTS UNDER THE LAW OF NATURE	293
§ 7.—SECOND ATTEMPT TO DESCRIBE JUSTICE	295
§ 8.—OBSTACLES TO THE ATTAINMENT OF JUSTICE	300
§ 9.—MEN ARE NOT 'CREATED EQUAL'	306
§ 10.—NATURAL INEQUALITIES AND ARTIFICIAL IN- EQUALITIES	307
§ 11.—CRITICISM OF PROPOSED DEFINITION OF JUSTICE	316
§ 12.—ADVANTAGES OF PROPOSED DEFINITION	319
§ 13.—SUMMARY	326
§ 14.—FACTS AND TENDENCIES OF NATURE THAT LIMIT OUR EFFORTS TO ATTAIN JUSTICE, OUR RESPON- SIBILITIES IN REGARD TO THESE EFFORTS, AND THE ARENA FOR USEFUL DISCUSSION REGARDING THE SAME	330
(a) Natural Inequalities	337
(b) Artificial Inequalities	338
§ 15.—JUSTICE REGARDED AS A VIRTUE	342
§ 16.—EVOLUTION OF VIRTUE	344
§ 17.—CONCLUSION	359



GOVERNMENT OR HUMAN EVOLUTION

INTRODUCTORY CHAPTER

It may seem extravagant to say that, in order to decide whether a city should own its own gas plant, it is necessary to have clear ideas as to what Nature is; and yet the demonstration of the truth of this, at first sight incongruous, proposition will probably furnish the best introduction to this book. For it will explain the reason why an effort to solve the living political questions of the day cannot result in satisfactory conclusions without a preliminary solution of fundamental problems.

Students of municipal government, who have read Dr. Shaw's books on the subject, are likely to decide very positively that there is no reason why cities should not own their gas plant, their tramways, telephone and telegraph systems; for they will present two arguments in favour of such ownership, that, taken alone, seem unanswerable:

In the first place, experience in Europe has demonstrated that cities can manufacture gas at less than one half the price charged by private corporations.

In the second place, private corporations being organised solely for the purpose of making profit, it is clear that cities which can dispense with profit can furnish gas to their customers cheaper, by the amount of profit which private corporations appropriate. Now, experience shows that this profit is often as much as one half of the whole price charged.

On the score of economy, then, there seems to be no doubt that it is wiser for cities to manufacture gas themselves than to concede the privilege to profit-making corporations.

But political questions cannot be settled purely by arguments of economy. The corruption and extravagance which characterise municipal governments in the United States constitute a reason for believing that in our country no economy would be effected; that the profits made by private corporations under private ownership would, under municipal ownership, only go to fatten sinecures, increase the number of employés, and strengthen the political machine in control of the city. It would seem, therefore, as though existing conditions would be rendered worse rather than better by such a system.

To this view it can be answered that the more a government is given to do the more vital it becomes to the people that it should be done well, and the more interest will the mass of the people therefore take in putting fit men into office. The workman suffers little from municipal misgovernment to-day; but if he knew that cheap gas and cheap car fares depended upon the character of the men he put into office, he might take an interest in a branch of politics which, under existing conditions, is of little importance to him.

The suggestion, however, involved in this argument in favour of increasing the scope of government is diametrically opposed to the doctrine that the nation is

governed best which is governed least. And the latter doctrine is widely held and ably supported. It is a fundamental doctrine—that is to say, it lies at the bottom of almost every political discussion; so that it seems impossible to solve any problem presented by municipal government without coming to a definite conclusion regarding it. And not only is it fundamental, in the sense that until it is settled no other question can be, but it is fundamental in the sense that it goes deep down into the nature of things. For those who uphold this doctrine tell us that man has in his ignorance been for countless generations engaged in the folly of interfering with Nature; they pile instance upon instance of the innumerable occasions on which laws have defeated the very purpose they were intended to attain; and they explain this by unfolding to us the great law of Nature—the law of evolution; they point out to us that every step in the progress of man has proceeded along the same lines as the development of the vertebrates from a primordial cell; that Nature has in her bounty ordained that man shall develop not only in faculty but in righteousness; that all his moral faculties are but an extension or development of egotism from the love of self to the love of others; that this process can be seen slowly taking place at every step which Nature has taken in passing from the lowest to the highest organisms; that the power of Nature which works through evolution is infinitely greater and wiser than the puny efforts of man; and that man is guilty of presumption and folly in attempting to interfere with it. Nature is held up to the worship of man; she is deified as the beneficent force which has preordained perfection for man, if he will only patiently allow her to work out his salvation.

There is something alluring in this prospect. It has the ring of Destiny in it: it beckons back into life the

pantheism of the Greeks ; Nature with her charm of spontaneity ; Dionysius and his bacchanals ; enthusiasm, gaiety, sunshine, and, above all, the freedom that Christianity hampers through her sombre doctrine of self-sacrifice and self-control. Then, too, the need we have for a tinge of sadness and tragedy in our religion responds to the figures of the Fates in the shadow, spinning the thread of our lives and cutting it.

When, however, we follow this doctrine of evolution to its economical, ethical, and political conclusions, we find it teaching freedom of contract and freedom of trade in economics, but denying freedom of the will in ethics ; condemning the individual to inactivity in self-improvement, but urging him to activity in self-indulgence ; demonstrating that man's will is the slave of the greater inclination, but anathematising attempts of Government to control this inclination. So that its teaching may be summed up to be this : In industry, or the struggle for wealth, absolute freedom ; in Government, or social regulation, the most freedom possible ; but in ethics, or the struggle for self-improvement, no freedom whatever.

There is a suspicious inconsistency about this teaching, which is equally conspicuous in the fruit it bears ; for its chief apostle, starting from this theory of evolution, has demonstrated the wickedness of free hospitals, free libraries and free schools ; and finds, in every attempt by collective effort to diminish human misery, an ignorant disregard of his fundamental axiom, that according to the doctrine of evolution individual egotism is the good genius of man, whereas collective altruism is his most dangerous foe !

If there is indeed a law of Nature which is providing us with solutions for all our problems, social, ethical and political, and if interference with this law is presumption

and folly, then the less books are written about government the better ; but if it turns out on inquiry that such a doctrine is built upon a total misconception, not only of Evolution but of Nature, then it seems important to inquire what Evolution and Nature really are, concerning which such vital difference of opinion seems to exist. The importance of this inquiry is enhanced when we find ourselves continually referred by political philosophers to a so-called law of Nature for a true apprehension of what justice is. What this law of Nature is does not seem easy to understand. We are told at one moment that the great law of Nature is Evolution ; that Evolution proceeds upon the predatory system of ‘every man for himself and the devil take the hindmost.’ And yet at another the law of Nature is referred to as the law of Eden—the ideal or moral law—which preceded the wicked interference of man. And between these confusing accounts of natural law we are left in hopeless uncertainty as to this justice, about which every one of us is forever talking, but which no one seems able to define.

Every measure that is proposed to our legislatures, whether in the interest of labour or in that of capital, is justified, or sought to be justified, on the ground of its justice, and on the score of justice almost every right secured by our constitutions, State and federal, is in these days being attacked. The right of religious liberty, or its equivalent, the separation of Church and State, is assailed by the Roman Catholics in their demand for recognition in State institutions, and this demand is justified by appeal to justice ; the right to life, the right to liberty, and the right to property, which few men dared to dispute even in the lawless days of the French Revolution, are to-day, every one of them, put in question by one class or another, and always on the score of

justice ; rights to life by the apostles of *laissez faire* who, appealing to the law of the survival of the fittest, would abolish our State institutions for the destitute, in order that the misery and death of those that succumb in the battle of life may stimulate a spirit of self-reliance in those that survive ; right to liberty by those who in the battle of labour against capital find it impossible to organise the working-man against his master, except by sacrificing the liberty of the individual to the exigencies of his Union ; right to property by those who see in this right the root of all evil, the struggle between selfishness and unselfishness, the contrast between the rich and the poor. And although justice is the cry of every class, whether it be in attack upon capital or in defence of it, nowhere in all our volumes on socialism and sociology, and political science, can we be said to be anywhere clearly told what justice is ; indeed Plato, in abandoning the effort to define it, has set the fashion to those who have succeeded him ; and even in the monumental work of one still living philosopher, the volume devoted to this word, while it does attempt to define liberty, leaves justice undefined.¹

Why political philosophers have abandoned the effort to define justice will more clearly appear in the chapter devoted to this word ; suffice it here to say that good reason for abandoning the effort does not seem any longer to exist. The attempt made in this book will doubtless seem to some too simple to deserve this prologue ; to others it may seem an old theory dressed up in new words, and the words not very new either ; to others, and particularly to Mr. Herbert Spencer and his

¹ *Justice*, by Herbert Spencer. I do not think that § 25 can be intended as a definition of justice ; it is an account of what Mr. Spencer thinks ought to be the effects of justice. This subject is treated at greater length in Book iii, chapter iii.

followers, it will doubtless seem altogether wrong. To all, only one answer can be made : it is impossible to come to any conclusion regarding any problem of political science whatever, without having first satisfied oneself as to what is this justice to which every school of political philosophy appeals ; in whose name every so-called right is defended and attacked ; and which constitutes—whether appealed to or not—the one tribunal before which every political measure must be eventually tried. It is not likely that during two thousand years and more this fundamental question has occupied the minds of men in vain ; nor is it likely that out of the manifold attempted definitions of justice there are not many which so nearly hit the truth as to be with difficulty distinguished from it. The task therefore to-day becomes one of selection rather than one of invention ; and if this task of selection remains still to be done it is because the conclusions of modern science have not been correctly applied to it.

This is doubtless in great part due to the fact that most works on government are written by avowed adherents of particular political theories ; thus, there are some who would confine government to the fewest possible functions, while there are others who are in favour of increasing the sphere of the State the utmost possible ; there are some who regard the State as an organic growth, who believe it to be the product of evolution, and are convinced that it is best left to the same process as evolved the horse from the eohippus, or man from an ancestral ape ; opposed to this school are those who regard the State as a construction rather than a growth ; who attribute it to the conscious and intelligent effort of man rather than to the blind process of evolution ; and who believe that it is only by the increasingly intelligent and moral intervention of man

that it can improve ; there are those who approach problems of government from the point of view of the capitalist, while opposed to them are those who approach them from the point of view of the working-man ; last of all, there are those who approach them from the point of view of the political economist, and for whom man is as irresponsible as a bushel of oats or an ounce of gold ;¹ while there are others who approach them from the point of view of sentiment, for whom political economy is a ‘dismal science,’ and man a moral, volitional being, and altogether the most important part of the problem : so important, indeed, that all other parts — even, perhaps, necessary parts — are lost sight of and even indignantly cast aside.

This book is an attempt to approach the subject with a mind free from political and emotional theories, under the belief that it is possible to arrive at purely rational conclusions regarding the fundamental principles involved. The attempt, however, has also been made to approach them later from what may be called, without further explanation in this place, as the moral standpoint ; and, lastly, to find a concordance between the two sets of conclusions thus arrived at. Doubtful though may have been the success of this, perhaps the most difficult part of the undertaking, I have, above all, tried to keep always before me the practical political problems which are to-day besetting us ; and although I have been compelled to deal at the outset with questions which may seem purely theoretical, the theoretical

¹ While the reproach to political economists implied in this sentence is deserved by Adam Smith and the Manchester school, it can no longer be said to be deserved by most of the writers of to-day. I cannot but think that the most valuable feature of Professor Marshall’s writings is in the fact that he recognises man to be a moral as well as a money-making animal. But that the old doctrine still exists amongst us may be seen by reference to the recent work of Achille Loria, *Les Bases Economiques de la Constitution Sociale*.

discussion has been strictly confined to what was indispensable to sound political conclusions. In spite, therefore, of the theoretical matters treated, I have endeavoured to write a practical book. But in this effort I have found myself confronted by unexpected difficulties ; for in framing our political institutions we are like the successive conquerors of ancient Egypt, whose only available material for new temples was for the most part that which had already served in the old. Of the material we now have at our disposal, and also currently use, much will have to be discarded altogether as totally unfit for modern conditions ; much is covered with cartouches and misleading inscriptions ; and of some it must be said that the stone which the builders rejected has become the headstone of the corner. For science, which is revolutionising, and is probably destined still more to revolutionise, our ideas about government, is conspicuous by its absence from all political discussion prior to the eighteenth century. Socrates, who was at one time a diligent scientific observer, turned his back upon Nature in order to concentrate it upon man. It is not surprising therefore that not a word of science is to be found in the record of his political theories. Aristotle, who was the founder of induction—the peculiar method of scientific thought—and who sought to bring back the minds of men from the abstractions of Plato to the relations of Nature, can hardly be said to have usefully applied science to the study of politics ; and Lord Bacon, who took up the story of induction where Aristotle left it off, and is perhaps as famous for his works on science as for those on politics, seldom attempts to bring his knowledge of science to bear upon the problems of government. Indeed, it may be said that we do not find science play any important part in political discussion until it had enriched our language

with the much abused and little understood word—evolution. And to-day the application of this new and fertile source of speculation to our ideas of government has been practically left to a single writer who, with matchless diligence, has, during the whole last half of the century, almost annually contributed an important work to the social and political literature of the day, impregnated by doctrines psychological and scientific, which are, many of them, debatable, and some, I believe, profoundly wrong.

It becomes therefore indispensable to a sound treatise on government that we should begin by a careful examination of the material which has been handed down to us, discarding what is useless, correcting what is calculated to mislead, and above all assuring ourselves that the very foundation of our new political principles repose on bed-rock and not on the shifting sands of a false philosophy.

To this end it seems wise to consider first, just what theories and speculations in the past have ceased to have any interest for us, lest, by the continued use of phrases that are their offspring, we unconsciously keep alive doctrines that we ought rather deliberately to cast aside; secondly, what of the still current and necessary language of the day must be preserved, and in some cases how its meaning must be modified; and, thirdly, what is this doctrine of evolution which Mr. Herbert Spencer has made the keystone of his political arch: what are the lessons it teaches: and what, if any, the modifications it necessitates, for it is believed that upon a proper application of the principles arrived at by modern science to political problems can these problems alone be solved, and upon the proper application of these principles only can we hope to arrive at a satisfactory understanding of what is the foundation of all

political philosophy, namely, the character of human justice. It is true that the definition suggested herein will probably seem to be made out of the many definitions which have been confusedly lying about in our political stone-yard. It does seem, however, useful to single out the most fitting of these neglected fragments, and make of it, if we can, the keystone of a less fallacious political philosophy.

In conclusion, then, this book is written because it is impossible to discuss the apparently simple practical proposition that a city should own its own gas plant, without having previously answered the fundamental question whether there is an obstacle in human nature to the extension of the scope of government. And in the study of the obstacle alleged to exist in Nature to the extension of the scope of government, we have to be sure that we are correct as to our notions of what Nature really is. This is the explanation of the incongruous proposition with which this chapter opened. If it seems rather late in the day to question the meaning of a word so commonly used as Nature, we must remember that the ancients did not have the facts necessary to understand the fundamental principles of government—these facts have only become known to us during the present century ; they have been expounded to us compendiously by one writer only, and it is believed erroneously by him ; those who have opposed him have done so only in fugitive and disconnected essays, and not in that continuous form which seems indispensable to the solution of the problems which lie at the foundation of the subject ; none of them seem to have reached a satisfactory definition of justice, and yet it is before the tribunal of justice that all political measures must be ultimately tried. Most of them have approached the subject from some special point of view, and have been

biassed in their conclusions by that view ; particularly is this the case with those who have endeavoured to throw light upon the issues which now divide into opposing political camps the wealthy and the poor.

Moreover, there are still in use among us misleading terms, such as Law of Nature, Natural Rights, Evolution—which, so long as they are used without correction, must inevitably constitute a source of confusion and error. The task before us therefore is threefold : it consists, first, in clearing the arena of useless and dangerous material ; secondly, in determining what justice is ; and, thirdly, in applying this definition with the help of modern science to the problems which to-day threaten to destroy civilisation by putting unenlightened labour at war with what, so far as political science is concerned, must deferentially be characterised—unenlightened capital.

Of these three tasks this volume does not attempt more than two. The third is reserved for another occasion.

BOOK I
NATURE

CHAPTER I

NATURAL LAW, NATURAL RIGHTS

THERE have always been words in our language which, because they covered a great deal of ground, and because we knew very little about the ground they covered, have proved convenient labels behind which to mask ignorance. Not long ago everything that we did not understand about the influence of one mind upon another we called 'magnetism'; now that we know enough about magnetism to make this no longer possible we call it 'telepathy.' So of old, whenever any man desired to denounce a custom or a law without being able to say why, he characterised it as 'contrary to Nature'; to-day it is more the fashion to say that it is contrary to the principles of 'Evolution'; not because of a laudable desire to avoid the contradictions contained in the word 'nature,' but rather because the word evolution sounds more modern and more wise. But just as when we begin to divide our growing libraries according to subjects, we find it convenient at first to leave a rather large space for those books which we are either too ignorant or too lazy to classify, and, as our know-

ledge and industry increase, this space for the unclassed diminishes until it altogether disappears, so must our words, with increasing knowledge and industry, find more and more their exact place in our language.

Of all baffling words none need scrutiny and classification more than those which stand at the head of this chapter ; for it is clear that if we want to know anything precise about government and the rights and laws with which it has to do, we cannot afford to remain in any uncertainty about the great domain of jurisprudence which has heretofore confounded us under the names—Law of Nature and Natural Rights. The errors and confusion which lurk in the misuse of the words Nature and Natural Rights have been so ably demonstrated by Professor Huxley¹ and Professor David G. Ritchie² that it ought not to be necessary to add much, if anything, to what they have written. Professor Ritchie's animadversions on the words nature and natural can hardly be improved ; he says :

The words 'nature' and 'natural' are constantly bandied about in controversy as if they settled quarrels, whereas they only provoke them by their ambiguity. Slavery has been condemned as an 'unnatural' institution ; and has been defended on the ground of the 'natural' inferiority of some races to others. The equality of the sexes is asserted and denied on the ground of 'nature.' The 'natural' goodness and the 'natural' badness of mankind have been maintained with like earnestness and sincerity. 'To live according to nature' was the stoic formula for the good life ; those Christian theologians, who have in some ways most intellectual and moral affinity with the stoics, have been those

¹ The essay in which this subject is most specifically treated by Professor Huxley is entitled *Natural and Political Rights* ; but it should be read in connection with the other essays on kindred subjects, which are published together at the close of the first volume of his collected works.

² *Natural Rights*.

who have spoken most strongly about the corruption of 'the natural man.' 'Natural religion' means something very different from 'Nature-worship.' 'A natural child' means a child born out of wedlock; but 'an unnatural child' is not necessarily illegitimate. 'A state of nature' may mean the absence of clothing; but such absence is not considered essential to the possession of 'a natural manner' in society. To the sentiment that 'nature is a holy thing' may always be opposed the proposition that 'nature is a rum 'un,' and in view of the ambiguity of the term, the theory of Mr. Squeers is, perhaps, the more easily defensible of the two.

No less successfully does Professor Ritchie pursue the ambiguity of the word *nature* into the domain of law, and, taking up every so-called 'natural right' one after the other, demonstrate the inaccuracy involved therein. Should anyone still believe with Herbert Spencer and the German school in the usefulness of this expression, let him read this book of Professor Ritchie's; and if he then remains unconverted he will surely not be converted by any argument of mine.

The work, however, of both Professor Ritchie and Professor Huxley is for the most part destructive—they have knocked all to pieces the dangerous and unsightly structure which political philosophers have been over two thousand years piling on these misleading words; but they have not attempted to put anything in its place. On the contrary, they seem rather to delight in the ruins which bear witness to the havoc they have made. Professor Huxley thinks 'it is unjust to require a crossing-sweeper in Piccadilly to tell you the road to Highgate; he has earned his copper if he has done all he professes to do and cleaned up your immediate path.'¹ He even indulges in a sneer at 'positive suggestions'

¹ *Essay on Government—Methods and Results*, p. 425; *Natural Rights*, p. 276.

and ‘shudderingly objects to the responsibility of attempting to set right a world out of joint.’ It is possible, however, that he has not done justice to his work ; and that Professor Ritchie is nearer the truth in pointing out that there are in his own destructive pages ‘considerable fragments of a constructive creed.’ It is to the work of picking out these fragments and fitting them together that I propose to devote this and the following chapters ; and although I shall have to go over a great deal of material that will be wearisomely familiar to students of political philosophy, I shall endeavour to present it with the greatest brevity consistent with continuous argument.

The word law primarily involves the idea of rule ; but is used to include two very different kinds of rules : those observed in Nature and those created by man. The laws we observe in Nature and those enacted by man for his own convenience and use, obviously differ in many essential respects. The great fundamental laws of Nature, when we correctly understand and state them, are found to be inflexible ; they are subject to no exception ; they execute themselves ; they cannot be amended or repealed. But when a nation enacts a law imposing monogamy upon its citizens, a rule is imposed upon them which differs in many notable respects from a fundamental law of Nature ; for a human law is one to which exceptions are always being made ; it can only be enforced by the supreme power of the State ; and by this same power it can always be repealed or modified. For example : the law of monogamy can be violated, as the Oneida community violated it in New York, and as the Mormons still violate it in Utah ; and it can be repealed in whole or in part, as by the law of divorce.

Now, the difference between laws of Nature and laws

made by man have sometimes been neglected by our most distinguished writers. Montesquieu neglected it when he defined laws to be the necessary relations which result from the nature of things.¹ This may be a good definition of a natural law, but it is quite incorrect as a definition of laws made by man; for example, the law which permits a Maine citizen to kill moose in October, but prohibits such killing in September, is a purely arbitrary one, as indeed is evidenced by the fact that in Nova Scotia it is allowed in September. There is undoubtedly a relation between this law and the nature of things, but it is *not* in its details a necessary one; and there are some human laws in which no such necessary relation can be traced, as, for example, the law providing that carriages pass one another on the right side—in England the law provides that they shall pass on the left; this law is a purely arbitrary rule made for the convenience of traffic: it has no necessary relation to Nature whatever.

It is of the utmost importance to distinguish between the laws of Nature and the laws of man, because the differences between them are not only numerous, but they are inconsistent, so that one definition cannot include them both.

Now, it would seem reasonable, in view of the real and important differences which exist between the laws of Nature and the laws made by man above described, that the words law of Nature be used to describe the laws observed in Nature, and to distinguish them from the laws made by man. Unfortunately, this has not been done, and the failure to do this is probably the source of the perplexities with which these words are

¹ *Esprit des Lois*, bk. i. ch. i. Montesquieu does later distinguish different kinds of law; but he neglects to do so in his original definition.

burdened. The words law of Nature were not used in the sense that the words obviously bear, because there is another use to which these words can be put, and it was one that occupied the minds of our early jurists more than the contrast between human laws and natural laws, with the last of which they thought that statesmen and lawyers had nothing to do. These early jurists were continually confronted with the inconsistency between human law and moral law—in other words, they found that sometimes a law that was enacted with the best intentions worked unexpected injustice; and, again, that sometimes a law was enacted by a particular group of legislators for their own personal advantage to the detriment of the rest of the community—as indeed sometimes occurs in our own day.

Now, in all cases where an arbitrary law works injustice those injured thereby appeal from the unjust human law to a higher law, which it would seem ought to have been termed the moral law, but which, as a matter of fact, was called by our early jurists natural law, because it was regarded as what the law would have been if it had not been otherwise enacted by man. In other words, whatever law man enacted was regarded as having been a modification of the natural conditions which existed before the enactment of the human law; and therefore the condition of things which existed prior to human law was called the natural state, and the social rules, if any, which existed in that state were called natural laws or the law of Nature, to distinguish them from the artificial laws enacted by man.

For example, in the so-called state of Nature, when a man killed a deer he acquired no right in the deer, because no right could, in a state of Nature, where might alone prevails, be recognised; the deer was his so long as he was strong enough to defend his possession, that

is to say, until a stronger man than he deprived him of it ; then came a human law which in England enacted that all deer were the property of the king, and that no man might kill them. Now, so long as the king was strong enough to enforce this law those subject to him had to comply with it ; but as soon as the power of the king weakened, the claim was made that the law was unjust, because in order to furnish a king with the pleasures of the chase, many men were deprived of food that was sometimes indispensable to them ; and this contention that the law was unjust was maintained by an appeal to the laws of Nature which permitted all men to kill and eat. So, when royal prerogatives were cut down, as in the United States, the right to kill game was reasserted, and the condition of those that hunted game improved ; because now, under the sanction of the human law recognising property in game so killed, no strong man is allowed to deprive a weak man of the game he has killed, or, if he does, he can be compelled by the Courts to make restitution. But it has been found that if all men were allowed to kill game at all seasons the game would soon be entirely destroyed ; so it was enacted that game could only be killed at certain seasons ; this, however, in certain states told hardly on ranchmen, who lived too far away from any town to buy meat, and had laboured to improve property so situated, depending upon this so-called natural right to find meat in the woods, and so they once more appealed to the natural law ; they maintained that the law preserving game was a violation of so-called natural rights ; that it was therefore not just ; and this appeal has not yet been in some states altogether decided.

From the above it appears that natural law has come to mean ideal or moral law ; not what the law is, but what it ought to be ; and that it is founded upon a

supposed natural state of man which preceded all law, when man enjoyed so-called natural rights ; and it is assumed that whenever a human law is unjust it violates some of these so-called natural rights.

This idea was favoured of old by the fact that our ancestors, and particularly those who had the framing of our laws, believed that man once enjoyed a natural existence free from all struggle and all pain ; this was the Eden of the Hebrews, and the golden age of the Romans and the Greeks. It was therefore consistent with their traditions that they should refer to the rights enjoyed by man in this natural state as ideal rights, and as furnishing a standard of justice by which all human laws should be measured, and to which they should all be made to conform.

Without going too far back into the history of civilisation, we find this notion of so-called natural rights taking shape in the philosophy of the Stoics : the Sophists contended that law was the mere expression of human authority, whereas the Stoics maintained that there was behind human law and above it the law of Nature ; that is to say, the rule of right reason as contrasted with the conventional and often technical rules made by man.

But it is in the Roman law that the words 'law of Nature' are used in perhaps their most misleading sense : Ulpian, fatally attracted by the obvious significance of the word natural, inserted into the 'Institutes' of Justinian a definition of natural rights which, clothed with the authority of the Roman law, has ever since performed its mission of confusion in the minds of men. According to Ulpian's definition the law of Nature 'is that which nature has taught animals,' and it includes, therefore, the law of marriage and that of parental relations ; but not slavery, because 'by the laws of Nature all men

at the first were free.' It ought not to be necessary to point out that, so far from Nature having 'taught all animals' the law of marriage, the latter is, on the contrary, a purely artificial and human institution ; so also are our highly complicated parental relations artificial, as, for example, those established in Napoleon's Code. Again, it is untrue that 'by the laws of Nature all men at the first were free' ; slavery is actually found in Nature among the lower animals, as, for example, in such communities as those of ants ; and slavery prevailed amongst men so long as man remained in or near a state of Nature, whereas it is only in an advanced state of civilisation that man has emancipated himself therefrom.

We shall see later that of all human institutions there is probably none more contrary to the law of Nature than that of marriage ; and none more in conformity with the law of Nature than that of slavery. Suffice it here to emphasise that monogamy, or the permanent fidelity of the same male to the same female for life, is peculiar to man, and involves the exercise of a self-restraint impossible to lower animals ; whereas, on the contrary, slavery is found in communities of ants ; in almost every early civilisation, and was abandoned only when man substituted for the law of Nature the law of humanity.

But there is a special reason why the law of Nature should have received its mistaken meaning in Greece and Rome, to which it would be impossible to give too careful attention ; for we shall see that it has considerable bearing upon certain conclusions we may have later on to draw regarding government in general.

The law of Greece and Rome, when we first have knowledge of it, was a part of their religion ; indeed, it seemed to flow out of their religion far more than out of the sentiment of justice which in modern days is

supposed to inspire legislation. Thus the ancient conception of inheritance seems to have been the necessary consequence of the sacredness of the domestic hearth : a sacredness which would have been outraged had it passed into the hands of a stranger ; and the theory of agnation, or succession by males only, seems to result from the fact that the father of the family was its high priest, and that at his death none but a male could succeed him in this capacity. Again, ancient codes deal as much with religion as with civil rights ; ordinary contracts are valid under them only if attended by certain sacramental formulæ, and even as late as Justinian jurisprudence is defined as *Rerum divinarum atque humanarum notitia*.¹ And because law was not distinguished from religion, it partook of the exclusiveness which characterised the religion of that day ; the law of a city was originally a code of rules intended to govern the actions of its citizens alone ; it did not extend to strangers, much less to slaves. Strangers had no right to claim the protection of these laws, though they were subjected to all the severity of them. Of course this condition of things could not last. As a city increased in wealth and power its communications with the outer world became more varied and continuous ; and so it became necessary to provide some sort of security for the stranger. In Rome this was done by the appointment of a *Prætor Peregrinus*, whose special duty it was to judge cases in which strangers were involved ; at Athens a similar function was performed by the *Polemarch*, that is to say, the officer who was charged with foreign relations. But as that part of the population of the city which, belonging to no religious sect, was without the pale of the law, increased and acquired some sort of consistence, it demanded a

¹ *Institutes* i. § 1.

code of written law; and the Twelve Tables, though they preserved most of the legal ritual to the patricians, created certain other ritual, or rather fictions, under which others than citizens might also contract valid marriages, make wills, and in other respects enjoy the advantage of settled rules of law.

But the stranger still was left outside of strictly Roman law; and as Rome extended her conquests yearly, the number of persons left without the pale of the law increased in like proportion, so that there soon grew up a demand for something more substantial in the way of legal protection than the Twelve Tables extended to those who were not citizens of Rome. Now, without entering into controverted details as to the legal status of this large and ever increasing population, it suffices the purpose of this chapter to point out that both as regards the *plebs* before they were admitted to citizenship, and the denizens of conquered towns until the Edict of Caracalla, there was a perpetual grievance arising out of the formality and exclusiveness of Roman law; its most striking characteristic being its artificialness, or the extent to which it departed from the elementary notions of justice which obtain amongst all men who live near one another. And so, in opposition to this highly artificial law, was perpetually being set up a notion of law less artificial, that is to say, more *natural* and more just; in other words, the law of Nature was imagined in order to correct the law of man.

In this way the law of Nature became synonymous in the minds of Roman jurists with ideal law, and it does not seem to have occurred to them that if the words were to be used to mean ideal law they must not be used also to mean the laws which we observe in Nature; for they were not familiar enough with the laws of Nature to appreciate how unjust they were. The

injustice of the laws we observe in Nature will be developed at greater length in the following book ; and it will then be pointed out that the great law which in Nature determines the relation of animals to one another is the predatory law. This law was little known to the Roman jurists : it certainly was never present to their minds when they used the words law of Nature to mean ideal law ; but to us, who are familiar with the massacre involved in Nature's plan, it seems impossible any longer to use the same words to designate a law of ideal justice and a law which involves injustice in its most repulsive form.

It ought not to be necessary to dwell on the perplexity to which this theory of natural law during many centuries gave rise, and to the endless discussion as to which law belonged and which law did *not* belong to the law of Nature, for an exhaustive account of them would fill as many volumes as there are pages in this book. All that we need do here is to notice how hopeless all such discussions must necessarily have been, in view of the fact that every disputant unconsciously adopted one of two theories which, though to his mind consistent, were as a matter of fact diametrically opposed. What should we say of two engineers who should undertake seriously to discuss with one another the best method of building a road between two places, one of them proceeding upon the assumption that the two places were separated by a deep valley, and the other by a lofty mountain ? Would it be possible for their minds ever to meet ? Would not one be talking of bridges, the other of tunnels ; the one of material to fill in, the other of material to take out ? And yet the difference between a valley and a mountain is not more complete than that between natural law as interpreted to mean the law of animals, or, in other words, no law at all, and

natural law as interpreted to mean the ideal law, or, in other words, the highest law conceivable by man.

It is not necessary, nor would it be profitable, to follow these fruitless discussions during the Middle Ages : they never result in any conclusion, because they could not do so ; no swordsmen can hurt one another who never come within striking distance, and the spectacle of two men back to back fiercely lunging at empty space, though entertaining for a time, soon grows monotonous. Occasionally a writer holds our attention, not because he makes any advance on this ground of natural rights, but because, in spite of the confusion hanging round these words, he produces a scheme of law which constitutes a rule of conduct ; such a man was Macchiavelli who, contemptuously casting aside all consideration of natural rights whatever, undertook to lay down the rules according to which government could successfully be conducted regardless of them ; or St. Thomas Aquinas, who made the law of Nature identical with the law of reason ; or Suarez who, Jesuit though he was, boldly denied the divine right of kings and proclaimed the divine right of the people ; or Montesquieu who, from a philosophic study of the British Constitution, deduced political principles which, although not as absolute as at first propounded, have been recognised as fundamental in every constitution that has since been written.

Rousseau, however, returned to the law of Nature with a vengeance ; he was for trampling on all existing institutions in a wild return to the savage state ; but, while adopting the arguments and the very language of the cynics, he himself spent a life of ease in the seclusion provided by a noble patron ; and, while indulging in the luxury of a concubine without the responsibilities of marriage, did not disdain, in disposing

of his offspring, to avail himself of the institutions of the very state of which he indignantly professed to disapprove.

Some people still treat the works of Rousseau seriously, and discuss his inconsistent theories as though all were equally worthy of consideration. But this is because we are still living under the expiring momentum of his matchless style. This rare gift secured for Rousseau a popularity which the glaring inconsistencies of his work would otherwise have forfeited. In one sense, however, Rousseau's writings are still of interest; for they reveal to us as in a mirror the kind of sentiment and thought to which the people of the eighteenth century were prepared to respond; and as in agriculture a knowledge of the character of the soil is no less necessary to the student than the nature of the seed to be sown therein, so in political science the condition of the people is as essential a part of the problem as the political theory which it is proposed to apply to them.

Now, there is a remarkable similarity as regards this question of natural rights between the teachings of two writers in the eighteenth century, although their respective doctrines lead to directly opposite conclusions, and this similarity is due to the fact that they wrote under the same popular conditions and started from the same political error. Both Rousseau and Quesnay were prompted to write by the injustice of the social and political conditions under which they lived, and both based their philosophies upon an appeal to the law of Nature. As regards the social and political conditions of the eighteenth century, historians have perhaps dwelt a little too much upon the tyranny of the throne and not enough upon that of the corporation. Doubtless the throne, with all the abuses which surrounded it, lay and clerical, was mainly responsible for the revolution which

overthrew it; but we cannot appreciate the appeal of Quesnay and the Physiocrats for liberty of industry until we take into account the industrial slavery to which the people were subjected by the corporation or guild. In another volume this matter will be more thoroughly discussed; at this point it is only necessary to mention it as constituting a somewhat neglected factor in the motive which actuated one of these two philosophers. Rousseau with his eye fixed on the throne, and Quesnay with his fixed on the corporation, both appealing to the law of Nature, though as usual with different understandings of the term, both averse to the meddling of an unjust authority, united in urging a reduction of the functions of government to the least possible. And their respective teachings have in this century borne strangely opposite fruits. Rousseau has led to anarchism, Quesnay to the Manchester school of *laissez faire*: the one destructive of the present industrial system, the other a glorification of it; the one denouncing capital, the other enshrining it; the one became the gospel of the poor, the other the gospel of the rich.¹ When we come to study these two gospels and compare them, it will be necessary to discuss this eighteenth century and the philosophies to which it gave rise a little more carefully. All that we need consider in this chapter, however, is that it is to the same root of all political confusion that both these conflicting philosophies appealed, and that each of them as usual attributes diametrically opposite meanings to the same words. To Rousseau the law of Nature was that of equality and

¹ It may of course be denied that Rousseau's writings led to anarchism, because Rousseau contradicted himself so often that a text can be found in his writings for and against almost every political heresy. All that is contended here is that the particular part of Rousseau's writings which glorifies the state of Nature as opposed to that of civilisation can but lead to one consequence—Anarchy.

justice ; to Quesnay it was that of the survival of the fittest ; or, translated into the language of the Manchester school, was that of Free Trade.

If we were engaged in a history of philosophy it would be interesting and instructive to trace this confusion through the discussions of this century ; but we are not engaged in any such comprehensive study : we are trying to get out of some of the past notions of philosophy the light they can cast on the deplorable confusion which hangs around the words law of Nature and natural rights ; and so we shall not pursue this theme further than to point out that a somewhat similar contrast is to be seen in contemporaneous literature, for Herbert Spencer and Henry George, arguing both of them from the so-called law of Nature to which they continually with confidence appeal, conclude one of them in favour of the narrowest conceivable limitation of the functions of the State, and the other in favour of extending those functions so as to make the State the one and only owner of the land.

It is true that the inconsistencies involved in the words law of Nature and natural rights have often given rise to scathing ridicule, and Professor Huxley, in his essay on Natural and Political rights finds it necessary to apologise for taking the ' trouble to slay the slain.' But error it is impossible to slay : in political philosophy, as in the days of Macbeth,

The time has been
 That when the brains were out the man would die,
 And there an end ; but now they rise again,
 With twenty mortal murders on their crowns,
 And push us from our stools.

And no error is more difficult to kill than one which has become fossilized, or, rather, vitalized, by becoming a

part of our language. Even Professor Huxley's essay, while it casts discredit on them, does not go deep enough to reach the heart of the error, for his essay is directed not so much against the words themselves as against one of the arguments derived from them ; and so is it with most of the writers on this subject : they start by adopting one meaning for these words and then proceed to demolish all arguments derived from other meanings.

The question arises, however, whether in the expression natural rights there is any meaning whatever ; whether, indeed, the two words are not so inconsistent as to involve, when used together, an ineradicable error ; and whether, if this be true, we have not a right to insist that they be dropped from the language once and for all. To these questions, although a complete answer cannot be given to them here, it may be well to devote a little consideration.

In order to settle what is the meaning of the words law of Nature or natural law, we shall have to decide what is the meaning of the word Nature, and to this decision the following chapter is devoted ; but we can anticipate that chapter sufficiently to state now that the great law of Nature which controls the relations of animals to one another is the so-called law of the survival of the fittest ; and it will be urged at the proper place that the words law of Nature be confined in sociology to this, and not confounded with the ideal or moral law, which is an invention of man, and with which it is necessarily and strongly contrasted. A definite signification would, by such a limitation, be given to the words law of Nature that would rescue them from the confusion to which they are now exposed.

But the words natural rights cannot be treated so leniently. There *is* such a thing as a law of Nature ; *there is no such thing as a natural right* ; these last

two words taken together are as inconsistent as the words 'round square.' For the law of Nature, that is to say, the law of the survival of the fittest, is the law of might,¹ and is the direct opposite of right. Right only came into existence when man undertook to fight the natural law of might. There is no right in the domain of Nature ; right belongs exclusively to the domain of man.

This, unless it be clear on the face of it, cannot be made clear until, after a study of what Nature is, and of what the law of Nature is, we come to a conclusion as to what is the law of man to which man's struggle with the law of Nature gives rise.

No attempt is made here to argue or prove this contention ; the argument and the proof will, it is hoped, emerge from a careful study of Nature and its socio-logical law. It is necessary, however, at once to distinguish between two expressions which are sometimes confounded—that is to say, between natural law and natural right—and to contend, though not now to prove, that although the words natural law are believed to have a useful and necessary meaning—when divorced from that of moral law with which they have been so fatally associated—the words natural right not only have no meaning at all but involve an error of the most far-reaching consequence.

In addition to the evils which result from errors embedded in our language, there is another source of evil in the misuse of words which cannot be too severely deprecated.

Many authors tend to be carried away by enthusiasm into what may be called rhetorical insincerity. Those

¹ Might is here used to mean brute force, and not to include moral force.

who indignantly sympathise with the misery of the poor are particularly open to this weakness ; and those who are by temperament or by interest unscrupulous advocates of capital are not likely to abandon so convenient a mask of hypocrisy as that furnished by grandiloquent and ambiguous phraseology. ‘*Progress and Poverty*’¹ contains many passages which are open to this criticism ; for example : ‘Nature does not proceed from man, but man from Nature ; and it is unto the bosom of Nature that he and all his works must return again.’ It is difficult to see that this sentence, even if true, can bear on the inquiry in connection with which it is used, how far improvements can be distinguished from land. It seems rather to express mere literary momentum—acquired in a good cause but leading to a fall. Unfortunately this literary momentum is catching. Those who read sympathetically are infected with it, and perhaps the more vague the words are the more profoundly they appeal to the emotions.² This subject is too large for exhaustive discussion now ; it is raised merely for the purpose of adding an argument in favour of precise thought in political matters, and in depreciation of the

¹ In this allusion to *Progress and Poverty* I do not wish to be understood as out of sympathy with the motives of this work ; I believe, however, that the remedies proposed in it would turn out to be ineffectual and at this moment unwise ; and I believe them to have been proposed because the author had not taken care to clear his ideas about right and justice from the errors which prevail regarding them. As to the injustice of the existing social régime there can be no doubt ; but as to the remedy something will be said hereafter.

² Obscurity may have value in literature and art ; it may contribute the attractiveness of much in Emerson and Browning with which lovers of the precise will quarrel. My contention to-day is not that the obscure is bad in literature and art, but that it is bad in the discussion of politics and sociology. In dealing with matters which concern the life and happiness of our fellow-creatures we cannot afford to be obscure.

use of any word or combination of words the exact meaning of which is not perfectly understood.

Moreover, if we, who want to arrive at the truth in these matters, surrender to the temptation of harnessing Pegasus to our wheels and soaring in the Empyrean, we cannot complain if unscrupulous writers adopt a similar course; and having tempted us away from solid earth, befog us in the clouds which haunt Olympus. If, however, we write soberly, we can challenge our adversaries to write soberly also; and the first requisite of sober writing is that we should use no word or expression which we cannot both ourselves understand and clearly explain to others.

CHAPTER II

NATURE DISTINGUISHED FROM ART

AND so, because the words 'Natural Rights' are misused as a sort of *omnium gatherum* for all those rights which we have not heretofore learned how properly to classify ; and because it is indispensable to do this neglected work of classification if we are to have correct notions about right and justice ; and because it will be found that it is to the confusion arising out of our failure to do this work of classification that our inability to define justice is due ; and, last of all, and chiefest of all, because Natural Science has of late furnished us with the facts which, correctly interpreted, permit of our making the classification and deriving from it a true notion of what justice really is, and therefore what right is ; and from a proper definition of these two things has enabled us to arrive at clear ideas regarding the social issues which are now politically dividing the rich from the poor ; because of all these reasons, what might otherwise be deemed an unnecessary amount of space will be devoted to deciding just what the word Nature must for political purposes be taken to mean—as an indispensable preliminary to the other more interesting, but, in time and in logic, secondary problems which constitute the ultimate subject of our inquiry.

It may seem a vain task to define a word which covers so much ground as Nature ; for the word Nature,

in one of the uses to which it is put, includes everything in Heaven and upon earth. For example, a Greek word for Nature $\tauὸ\; πᾶν$, means 'everything.' Again, when Edmund the Bastard exclaims,

Thou Nature art my goddess ; to thy law
My services are bound,

he sums up in a word that philosophy which substitutes Nature for God. In this sense the word Nature is used to mean *natura naturans*—the Creator—as contrasted with *natura naturata*—the created.

But when Pope in his Universal Prayer thanks God in that He

Yet gave me in this dark estate
To know the good from ill,
And binding *Nature* fast in fate
Left free the human will,

the word Nature is used in the sense of *natura naturata*, as contrasted with *natura naturans* ; the created as opposed to the Creator. Here, then, we have the word Nature used to mean three different things :

First, $\tauὸ\; πᾶν$ or *everything*, including *natura naturans* and *natura naturata*—Creator and created.

Secondly, *natura naturans*—the Creator alone.

Thirdly, *natura naturata*—the created alone.

But if the word Creator is inseparably connected in the minds of all who are not Atheists with God, the question arises whether God can be regarded as part of Nature. If God created Nature (as those who believe in God maintain) He cannot be regarded as a part of it. In the Greek legend Nature or Pan is a son of Zeus ; Zeus was therefore not in the Greek mind a part of Pan. It is true that there is a school of philosophy which

denies the existence of any God or creating power except that observed in Nature ; and this school, because it substitutes Nature or Pan for God, is called Pantheistic. But to the rest of the world there is a God or creating power, outside of Nature, that made Nature, and conferred upon Nature that force of propagation to which some give the name Creator.

As we are now engaged in an effort to marshal all the facts bearing upon the problem what Nature really is, free from all bias—religious, philosophic or other ; and as the use of the word Creator to describe the propagating force in Nature is practically an inferential adoption of Pantheistic philosophy, for it seems to deny the existence of a Creator outside of the propagating power observed in Nature itself, we shall abstain from the use of the word Creator in this sense, but shall substitute for it the words propagating power or power of propagation. These words as nearly as possible describe what it is intended to describe, and are free from philosophical or religious assumptions.

Making, therefore, this necessary correction in the sentence which preceded the foregoing explanation, we find the word Nature generally used to include both *natura naturans* or power of propagation, and also *natura naturata* or things propagated.

From these two fundamental meanings of the word have followed a large number of derivative meanings¹ which we need not discuss, as they do not concern our subject. But there is one line of derived meanings which concerns our subject very closely ; I mean those meanings of the word in which Nature is distinguished from Art ; because here we find man and man's work

¹ Professor Ritchie somewhat pathetically complains that among the meanings given to the word by Larousse is included the expression *pommes nature !*

separated from Nature as though man and his work did not belong to it. For example, we are all familiar with the use of the word natural as opposed to artificial ; the one conveying the idea of a thing that has been unmodified by man, and the other that of a thing that has been modified by him ; the mountains are delightful to us because they are natural, that is to say, they are as Nature made them, unaffected, uncontaminated, or, if you will, unimproved by man ; on the other hand the Trianon at Versailles is also delightful to us because the hand of man has converted there a barren waste of sand into a beautiful garden. In these cases the words natural and artificial are both used in a good sense. But in conveying the same contrast we sometimes find each term used in a bad sense—thus St. Paul speaks of the natural man as refractory to the Spirit of God,¹ and we continually use the word artificial to condemn an unsuccessful effort at landscape gardening or the affectation of a coquette. But whether these words are used in a good sense or in a bad, they always refer to the same contrast ; that is to say, the contrast between what Nature has made and what man has made of Nature. This use of the words Nature and natural, then, introduces a third factor into the discussion. At first we had only two factors—the power of propagation or *natura naturans*, and the thing propagated or *natura naturata*. Now we have the third factor—man ; and the introduction of man into the domain of Nature is very complicated and confusing ; for man, in current theory, is not only clearly included both in that part of Nature which has been described as *natura naturans* and in that part which has been described as *natura naturata*, but he also has a way of meddling with the domain to which he belongs, so that he almost seems to share with God in the power to fight

¹ 1 Cor. ch. ii. v. 14.

and transform the forces of Nature in a degree peculiar to himself, and not to be found anywhere else in the world whatever. Now, it is here that our principal confusion regarding all things connected with Nature seems to take its source ; we use the words Nature and natural to include this refractory thing man, although man not only belongs to both of the groups included in the word Nature, but also partakes of a power which is superior to both. Is it consistent to do this ? Can man, the artist, that is to say, man in so far as he modifies Nature, be consistently included in the Nature he modifies ? A good illustration of the confusion which results from not distinguishing Art from Nature is found in the ingenious answer of Polixenes to Perdita who will have no ‘ streak’d gillyflowers ’ in her garden, no flowers that are the product of art, none but those of ‘ great creating Nature ’ ; to which Polixenes :—

Yet Nature is made better by no mean
But Nature makes that mean ; so over that art
Which you say adds to Nature is an art
That Nature makes.

But the power which improves on Nature by Art is something outside of Nature ; or else is not Art. Nature is continually improving her own handiwork by natural selection ; but this is natural, not artificial. The word art must be confined in its meaning to the operation of a power other than Nature, or it loses its significance, its value, and its use. And if we use the word Nature to include man in one part of a sentence, we cannot use it to exclude him—nay to distinguish him—in another. How confusing and dangerous this is has been pointed out by Professor Ritchie,¹ when he

¹ *Natural Rights*, p. 28.

remarks that Aristotle in one place¹ declares the family to be by Nature prior to the State, and in another place² the State to be by Nature prior to the family. What Aristotle really means is, that before man had arrived at a high order of political organisation, the family came *in time* before the State; but as soon as man attained a high order of political organisation, the State came *in importance* before the family. Aristotle is not inconsistent in his intention; but seems to be inconsistent, because he uses the word 'by Nature' in two opposite senses: in the first instance to mean before the intervention of man; in the second instance after the intervention of man. And this inconsistency of meaning has not, I think, been sufficiently present to Professor Ritchie, for he himself comes dangerously near to a similar obscurity of expression in the following passage:—

The only '*law of Nature*' to which we can listen must be such as will command itself to our reason as a statement of the principles of a coherent and orderly society which will not throw away the hard-won achievements of man in his *struggle with Nature* and with barbarism, and which will at the same time be progressive, in the sense of being capable of correcting its own faults.

Here the law of Nature approved is one that will help man in his struggle with Nature; this is a difficult sentence to understand, until we remember that by the words law of Nature Professor Ritchie intended to convey ideal or moral law; and then one naturally asks, Why is this ideal or moral law called a law of Nature when its aim and object is to fight Nature? when, in other words, it is not a natural law, but is opposed to natural law; when man, if left to his

¹ *Eth. Nic.* viii. 12, § 7.

² *Pol.* i. 2, § 12.

instincts or nature, will *not* conform to it, but will only conform to it when he opposes these instincts, or, in other words, when he violates that nature with which he comes into the world.

And this obscurity is referred to here because it leads us to another derived meaning of the word Nature, which it is important for us to distinguish, although—or perhaps we should say all the more because—it is derived from one already referred to.

Nature and Natural have already been shown to be used in contrast and in opposition to Art and Artificial. They are also used in contrast and in opposition to Spirit and Spiritual. In the Epistle to the Corinthians St. Paul says : ‘But the natural man receiveth not the things of the Spirit of God’ ; and again, in another place,¹ he says : ‘There is a natural body and a spiritual body.’² Now, a very happy consistency can be traced between these two uses or contrasts of the word Nature, as opposed to Art on the one hand, and to Spirit on the other ; for the factor common to both these contrasts is that in both cases Nature is opposed to the conscious effort of man ; in the one case to his physical effort, in the other case to his moral effort ; for it is by a physical effort of man that a sandy waste was converted into the garden of the Trianon—and it is by a moral effort that man overcomes evil with good.

We have arrived, therefore, at the following landing-place in our analysis :—

Nature is used to include both the Power that propagates and the things propagated ; and both these significations of the word are used in contrast and in opposition to the conscious effort of man. But it must here be clearly pointed out and kept in mind that Nature is

¹ 1 Cor. i. 14.

² 1 Cor. xv. 44.

not contrasted with *all* of man, for Nature includes man or most of him ; it is contrasted only with the conscious effort of man—physical effort, intellectual effort, and moral effort—included in the words Art and Spirit.

We are now in a position to take up another confusion which sentiment has thrown about this word. There are certain poets who set themselves up as worshippers of Nature, and constitute themselves her prophets and her priests. This worship is sometimes indiscriminating ; and being indiscriminating is, in its expression, untrue. Thus Wordsworth writes :—

The blackbird amid leafy trees,
The lark above the hill,
Let loose their carols when they please,
Are quiet when they will.

With Nature never do they wage
A foolish strife ; they see
A happy youth, and their old age
Is beautiful and free.

It would not be easy to put more false sentiment into so few words. There is much that is beautiful in the blackbird's song ; and the lark has inspired some of our poets with their finest thoughts ; but it is difficult to follow the workings of a mind that could think and deliberately write down that our pleasure in these things has anything to do with the waging of strife with Nature, or with an old age that is 'beautiful and free.' The song of the blackbird is beautiful to us because it is a song of love ; and that of the lark because it is one of aspiration ; but they neither 'loose their carols when they please,' nor are they 'quiet when they will'—on the contrary, their song is confined to a very few weeks in the spring and early summer ; they can neither at

this time refuse to sing, nor are they able to sing at any other. They wage no strife with Nature because they have not the faculty to do so, and consequently their ‘happy youth’ is generally so cut short by the domestic cat that ‘old age’ is seldom to be observed in them, except, if ever, behind the protecting and altogether non-natural device of a bird-cage.¹

Such Nature worshippers as Wordsworth are misleading ; they only see one side of Nature—the beautiful side ; and they endeavour to force upon us the conviction that Nature is altogether beautiful, when, as a matter of fact, Nature contains also much that is cruel and base. And many of us are so willing, nay anxious, to see the beautiful rather than the base that, in the semi-hypnotic condition produced by rhythm, we more easily accept attractive errors from poets than from those who express their thoughts in unrhythmic prose.

And Wordsworth is by no means the only offender ; indeed, it would be difficult to find any poet, ancient or modern, whose tendency to worship Nature has not led him into incoherence and contradiction. Nor can we afford to disregard or undervalue the influence of poetry on thought. It is because poets have the peculiar faculty of crystallising thought into language, that they delight us ; their words become ours ; and the thoughts which are locked up in their words become ours also. We thus insensibly adopt the errors of fact of which

¹ If we would attain a just as well as a poetic apprehension of this theme, let us turn to the words of one who made man his theme as well as Nature, and brought to it a sound head as well as a gushing heart ; I mean the man who sang—

Yet midst these thoughts, myself almost despising,
 Haply I think on thee ; and then my state,
Like to the lark at break of day arising
 From sullen earth, sings hymns at Heaven's gate ;
For thy sweet love remembered such wealth brings
 That then I scorn to change my state with kings.—Sonnet 29.

poetic imagination is too lofty to take heed. And the errors of fact become so endeared to us by poetic association that we are unwilling, and even sometimes unable, to part with them.

If, however, we are able to emancipate ourselves from the blandishments of our poets, we may be in a position rightly to decide, if not what the word Nature really means, at least to what meaning it is most convenient for political purposes to confine it. We have seen that Nature includes all that begets and all that is begotten ; but both of these are contrasted with the conscious effort of man ; and we cannot deny that Nature is not altogether beautiful, but contains much that is terrible and vile. Now, how did Nature come to have these meanings, and, particularly, how did begettor and begotten become opposed in this word to the conscious effort of man ?

It seems likely that man began by including in the word Nature everything he perceived—not excepting himself. And thus Nature represented to him everything in the world except that part of himself which perceived it, in the language of psychology, all that was objective, and not what was subjective ; in other words, it included everything except that part of man which is self-conscious and capable of conscious effort and conscious self-control. So that from the word Nature, logically defined, there should be eliminated that part of man which is capable of conscious effort, leaving only within the scope of Nature that part of man which characterises the animal as distinguished from the spiritual kingdom ; and this because, in so far as man resists and overcomes the forces in Nature which are opposed to his development, he is outside of Nature, as when by physical effort out of a bog he creates a garden, or out of a desert a paradise ; or by moral effort out of

a self-indulgent sybarite he creates an abstainer ; or out of a natural libertine he creates a faithful husband.

And in this conscious effort of man and the force against which it is directed, we become familiar with the dual aspect of Nature to which some sentimental poets are so blind ; for it is clear that man's efforts are directed towards favouring those forces or elements of Nature which are helpful to himself, and toward resisting those that are hurtful to him ; in other words, Nature contains two very different kinds of tendencies and phenomena ; and man is for ever engaged in distinguishing them : utilising those that he can make convenient to him : checking those that are dangerous : dwelling on those that are beautiful : putting out of sight those that are base ; and, according as man looks at the helpful and beautiful in Nature, or upon the harmful and ugly, he will be an admirer of Nature or a hater of her ; whereas the man who sees Nature as she is, with all that she has of good and all that she has of evil, will admire the good and avoid the evil, recognising that life is a game in which the more knowledge he has the longer he is likely to prevail at it, whereas the less knowledge he has of it the sooner he is likely to succumb.

Now, Lord Bacon has pointed out¹ a very curious thing about the Greek notion of Nature, but has failed to draw an obvious conclusion from it ; he has pointed out that Pan, the Greek incarnation of Nature, was the offspring of Zeus and Hybris, or, as Bacon puts it, the son of Jupiter and Insolence. Now, if Zeus be supposed to represent the rule of law, and Hybris the tendency to revolt, we have in this legend a suggestion of that perpetual conflict between law and liberty of which

¹ VI. *De Sapientia Veterum*, 708, 709.

Nature is the eternal battle-field ; and so, as Lord Bacon points out, it is not surprising that Pan is set forth as the god of hunters, ‘for every natural action, every motion and process of Nature, is nothing else than a hunt :—

After the wolf the lion steals ; the wolf the kid doth follow ;
The kid pursues the cytisus o'er hillock and thro' hollow.'

And here at last we come upon the final view of Nature, forced upon us by modern science under the name of the Predatory System—which, in derision of the ‘beautiful and free old age’ of the blackbird and the lark, presents Nature to us as a vast bloody field of carnage—every living thing the prey of some other living thing—until, from the red claw of the hawk to the reeking fangs of the great carnivora, we come at last to the most successful, the most bloody, the most voracious of them all—man.

Nor is this brutal condition of things a mere accidental or exceptional fact; on the contrary, it bears all the imprint of an incredibly cruel design; for it is in this field of carnage that animal life is as it were tried, and out of it that animal life comes strengthened as steel from the furnace; so that the predatory system has become known to us as a great law—one might say *the* great law—of Nature, governing the relations of animals to one another under the familiar title of the survival of the fittest; the meaning of these words being that Nature proceeds upon the plan of exposing every one of her offspring to the cruelty and appetite of all the rest, so that the weakest millions miserably die, and only a few of the strongest survive. The school of Nature, from this point of view, is a charnel-house, in which the ill-favoured many suffer a cruel death at the hands of the favoured few, none graduating save those who, like the sole

survivor of the 'Nancy' brig, have devoured all the rest.

Doubtless we have all at some time been shocked by the playful cruelty with which a cat plays with a mouse; but her movements are so graceful, and our sympathies are so little enlisted with her victim, that we probably seldom appreciate the horror of her incompassionateness. We are likely to have a more realising sense of the fact if we multiply its proportions by putting a tiger in the place of a cat, and, in the place of the mouse, the human being whom we love or have loved most in the world. Having effected this substitution, let us turn to a story narrated by Huxley, in his essay on natural and political rights¹ :—

A tigress carried off an unfortunate Indian villager—as a cat may carry off a mouse—without doing the man any mortal injury. Tracked to her lair in the jungle, the brute was seen to set down the half-disabled captive before her cubs, who commenced mumbling and mauling him to the best of their infantine ability, while the tender mother complacently watched their clumsy efforts to deal with the big game she had brought home. But, if the man, driven desperate, succeeded for a moment in beating off his small tormentors and crawling away a few yards, a judiciously administered grip with the thoughtful parent's strong jaws, or a cuff from her heavy and sharp-clawed paw, at once reduced the victim to a state in which the cubs could safely resume their worrying and scratching.

If, now, we consider that the tigress is one of the most finished of the products of Nature, that she represents the *natural* type of motherly love, that thousands of years consumed in successful sport, accompanied by such playfulness as Huxley has described, have converted her into the most perfect conceivable instru-

¹ *Methods and Results*, p. 343.

ment of butchery ; that, to her, man is nothing but ‘tiger meat’—just as by us cattle are euphoniously termed ‘butcher’s meat’ ; that, in fact, the dominion and ethics of tigerism are—to the extent to which the predatory system prevails—the dominion and ethics of Nature, we shall pause before we continue to regard the moral law as identical with that which has so long and so erroneously been termed the law of Nature.

But the revolting picture presented by the predatory system will doubtless seem to many a very one-sided view of Nature ; for Nature includes the beauty of the firmament as well as the butchery of the abattoir ; the co-operation of the ant as well as the competition of the carnivora ; the tenderness of the dove as well as the fang of the serpent. Again, the whole moral or spiritual element in the world has been left out of the foregoing description, the object of which has been to describe Nature *apart from the moral action of man*, in order later to study the forces at work in Nature *subject to the moral action of man*. When we come to the moral view of the relation of Nature to man the picture will be very different ; but as most of the confusion that pervades our notions of Nature and natural right and natural justice is believed to result from a failure to appreciate just what Nature is *apart from the moral action or conscious effort of man*, no attempt has been made to tone down the horrors of that great law to which all animals, and, indeed, all living things, except man, are subject—a law which, because it has become familiar to us under the name of the *survival of the fittest*, has perhaps obscured the fact that the survival of the few that are fit means the extinction of the many that are unfit.

Even the so-called beauties of Nature, *apart from the morality of man*, do not well bear close inspection ; the song of the nightingale is confined to the nesting

season ; the lily for all its chastity draws its nourishment from decay ; and the colours of the sunset are but the flaming fringe of night. When we scrutinise Nature *apart from the morality of man* she loses much of her beauty ; it is when we find in her the echoes of our moral nature, when, by a somewhat forced analogy, we set our chastened ideal of love to the song of the nightingale ; when in imagination we separate the blossom of the lily from the root which binds her to the earth, when we read the colours of the sunset with a heart saddened by sorrow, or those of the sunrise with one kindled by hope, it is then that Nature becomes transfigured and regenerate.

Nature, indeed, has beauties of her own ; but they are in great part imperfect, and depend upon the germ of some moral quality which is but little developed outside of man. For example, the love of a mother for her offspring is beautiful ; but in a fierce animal it can become a very unlovely thing, and pales by the side of that of a Sister of the Poor. Again, the fragrance and colours of her flowers are beautiful, but their beauty is not enhanced by the knowledge that they are due to the survival of those blossoms only which succeed in attracting pollen-bearing insects, to which not even Wordsworth has dared to ascribe a love of the beautiful as such. To us the song of the nightingale seems inspired by the loftiest sentiment ; to a cat it suggests only a possible dinner.

The beauty of Nature resides for the most part in man's moral apprehension of it ; on the other hand, its deformity, its design, its cruelty, are so revolting, that no man can thoroughly comprehend them without abhorrence. Fortunately he has heretofore so confounded his own moral appreciation of Nature with Nature herself that he has not been deterred by her

Medusa locks from grappling with her and subduing her—in no small measure.

The time has now come when we can with advantage, review the conclusions to which we have come, and the main thread of the argument by which we have reached them.

Nature which, from one of its Greek derivations, *τὸ πᾶν*, ought to include everything, from another Greek derivation, *φύσις*, and from its Latin derivation, seems to include more particularly the power that begets and the things that are begotten in the world. But while it includes man in one sense, in another it is used in contrast with and in opposition to him, to the physical and intellectual effort of man, under the name of Art, and to the moral effort of man under the name of Spirit. It cannot consistently include that to which it is contrasted. If ‘natural’ is used to mean the opposite of ‘artificial’ and the opposite of ‘spiritual,’ it cannot also include among its meanings those of ‘artificial’ and ‘spiritual’ to which it is opposed. We must conclude, therefore, that the word Nature cannot consistently be admitted to include the conscious effort of man to subdue Nature, whether intellectual or moral. Nor should it include the Divine Power which created Nature. To those who do not believe in the existence of a Creator outside of the begetting power of Nature, the exclusion of God from Nature cannot be objectionable; to those who believe that there is a Power which created Nature, this Power cannot be included in the thing the Power itself created. Moreover, it has been shown that Greek thought did exclude this Power. The word Nature might therefore be conveniently used to include everything objective to man, including man himself, in so far as he is an object of his own perception; but not to include God, nor that part of man which is a subject of

self-consciousness and capable of conscious effort and conscious self-control ; and this long, and I fear intricate, sentence may be condensed to this—the word Nature might be conveniently used to include all that is material in the world, but not that which is moral, intellectual, or spiritual.

Under such a definition of Nature, it would become clear that poets are mistaken in deifying her. What is beautiful in her is for the most part but the embryo or echo of what is moral in man ; and the great socio-logical law of Nature—the predatory law, or the law of the survival of the fittest—is an inconceivably cruel one. The life of man seems therefore to be an hourly effort to marshal all that is helpful to him in Nature against all in her that is hurtful to him. From one point of view, however, it may appear arbitrary to maintain that Nature does not include all of man ; that is to say, his mind and his soul as well as his body. Whereas, from another, not only does such a separation not seem arbitrary, but it seems absolutely essential to clearness of ideas. If the word natural is habitually used in opposition to artificial and spiritual it seems impossible to use the word natural to include artificial and spiritual. Nevertheless, this is exactly what has persistently been done ; and there has resulted from this confusion ineradicable error, as, for example, the error that, starting from the same premisses, led Rousseau upon the road to anarchy, and made Quesnay the apostle of *laissez faire*.

Unfortunately there seems to be an insurmountable objection to the definition proposed.

In the first place, an important group of philosophers, already referred to, denies the duality of Nature, and declines to see in the apparent opposition between the material in Nature on the one hand, and the moral,

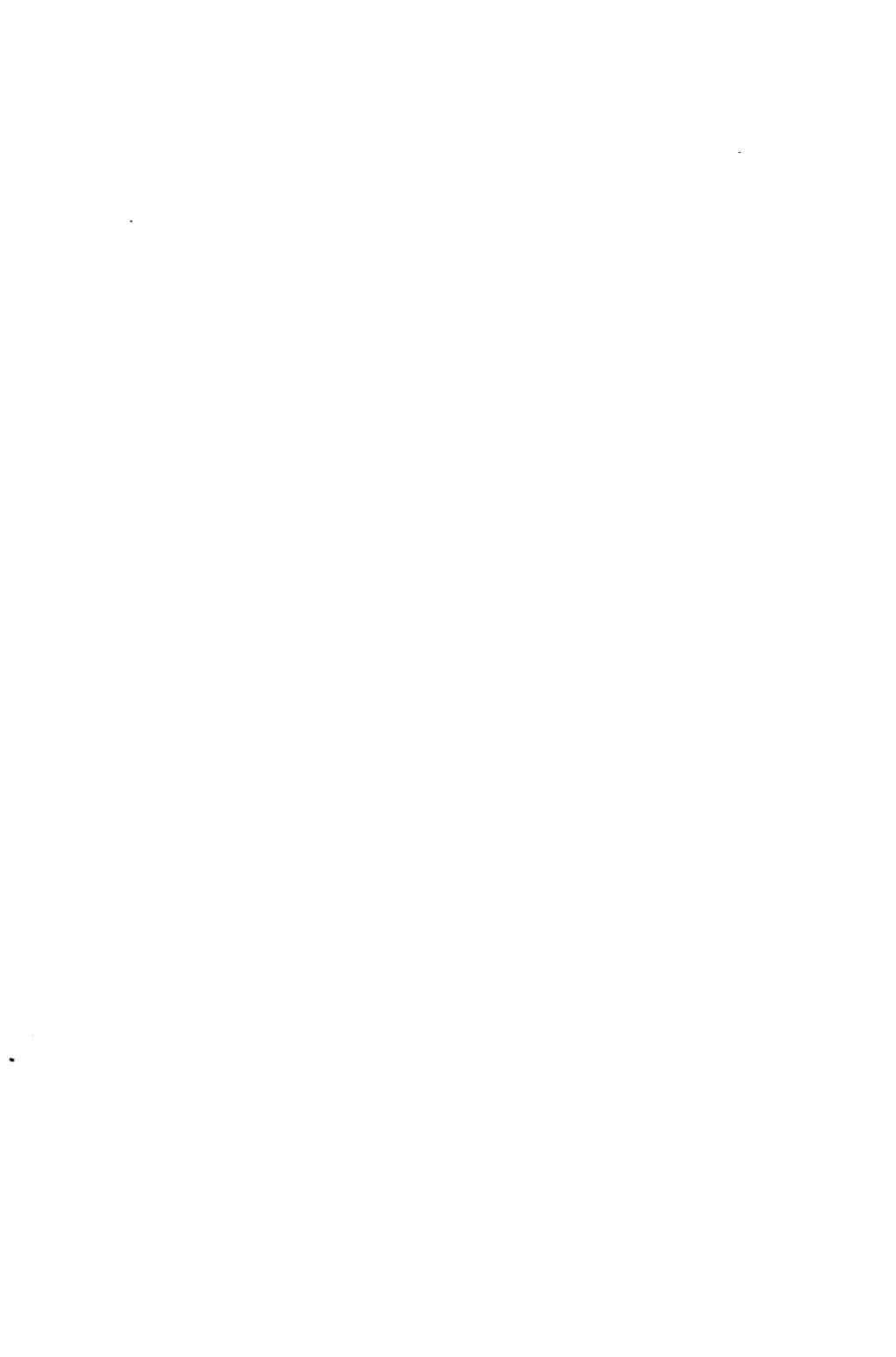
intellectual and spiritual on the other, any other opposition than results from different aspects of the same thing. To this group a definition of Nature that would confine it to the material in the world would be unacceptable.

In the second place, this Monist view of Nature is by no means confined to a group of philosophers; it is deeply bedded in our language. An attempt to make the word natural synonymous with material would encounter an instinctive opposition on the part of most readers which might occasion more mental confusion than it would eliminate.

Under these circumstances I am going to ask permission to use the word Nature to include everything in the world except the conscious effort of man. This use of the word does not attempt to decide between different views regarding the Creator or the Divine, nor does it attempt to determine the issue raised by Monistic philosophy. It is proposed as a makeshift, for the mere purpose of enabling the political argument to proceed without previously solving problems which do not seem at this time capable of solution.

If it be impossible to modify language at large by confining the word Nature to a meaning which will save it from contradiction, let us at any rate agree to confine it to the meaning here suggested for the purpose of political argument. We cannot avoid a discussion of what Nature is if we desire to clear our minds regarding the so-called law of Nature and natural rights. For this purpose, then, if for no other, let us agree upon a meaning for the word Nature which will not trip us up at every step. When the argument is completed it will be time to decide whether the definition suggested is worth keeping.

Having therefore agreed upon a use of the word Nature which will exclude from it the conscious effort of man, let us pass next to the examination of what is the great sociological law of Nature which has been so much discussed and so generally misunderstood under the name of Evolution.



BOOK II

EVOLUTION

PREFACE TO BOOK II

GOVERNMENT can be studied from four different points of view :—

The Historical : that is to say, what it *has been*, including the history of its Evolution, and a study of Evolution itself.

The Morphological : that is to say, what it *is*; and chiefly the element in it of co-operation.

The Physiological : that is to say, what it *does*, or the process of equalisation or compensation.

The Teleological : that is to say, what is its *purpose* or *aim*, and this will bring us to a study of justice—if, as I believe, justice turns out to be the ultimate motive as well as purpose of government.

It will not be convenient in our study of government to take up these four points of view in the foregoing order, because we cannot intelligently discuss what government is or what it should do until we have satisfied ourselves regarding its purpose ; nor can we be sure of what is the purpose of government without having some idea of what it is and what it should do. Nevertheless it is well to have in mind the various points of view from which government can be studied, because,

although we may not be able to arrange our exposition upon the lines of this logical or analytical order, we shall return to it in summarising our conclusions, and have it in view throughout the intricacies of the subject as a convenient scheme for distinguishing the objects of our discussion.

In the previous book we have set ourselves the following questions¹:

How did the expressions, natural rights and law of Nature, get into our language, and what have they been used respectively to designate?

What is the least incorrect meaning of the word Nature in its relation to government as revealed to us by modern science? and

What must be the fate of these two expressions, natural rights and law of Nature, in the light thrown by science on the word Nature?

Of these questions we have partly answered the first and third; or rather, it has been pointed out that there is reason for believing that there are no natural rights whatever. But in the course of an answer to the second, we have found ourselves confronted by the necessity of discussing the law of Evolution, which turns out to be the one law of Nature that underlies and overlies all our political systems. As a proper understanding of this law in its relation to political institutions is essential to sound views on government, and as it is upon the relation of this law to the development of man that scientific men seem to-day most radically to disagree, the subject seems entitled to the most thorough treatment consistent with the scope of the work. The law of Evolution will therefore now command our attention before we attempt to complete our answer to the question, What is the true relation of Nature to Government?

¹ See pp. 8, 4.

CHAPTER I

NATURAL EVOLUTION

As the wake which a ship leaves behind her reveals the direction in which she is moving, so the history of man reveals to us his destiny, if we can but read it aright. And by the history of man is not meant the imperfect story told by himself of his own doings, but that record, almost eternal in time, which begins in the rocks as in the leaves of a gigantic book, and is continued in caves and refuse heaps, and, through the countless civilisations which have swept over the valley of the Nile, in temples and sepulchres. Even this is but a fragment of human history ; for far earlier than the advent of man in the world, during ages so long that the imagination fails to comprehend them, animal life was slowly preparing itself for its final evolution. This evolution is recorded in the story of the rocks from the earliest strata to the kitchen middens of yesterday.

Nor is it in past events alone that the development of man can be traced ; for here, in the midst of us to-day, we find living epitomes of his long minority : in the customs of savage races not yet extinct ; in the stories condensed in human language ; and, perhaps more clearly than all, in the development of the human foetus in every mother's womb. It would be difficult to exhaust the number of sciences that contribute to the exact understanding of man : Geology, Physics, Chemistry,

Astronomy, Petrology, Palæontology, Zoology, Archæology, Anthropology, Physiology, Philology, and many others, the names of which it would be tedious to record. To give more than a mere outline of what has been contributed by all these sciences to the problems under discussion would be impossible ; and in attempting this outline, every effort will be made to state nothing but what inevitably bears upon the subject, and nothing but what is supported by incontrovertible facts.

The world we live in is a great book in which is written a record of the animal and vegetable life that has inhabited it ; many of the pages are missing—they have been destroyed by either fire or water, and the most conspicuously absent are the first. Notwithstanding the imperfection of the record, the rocks tell a story which is unmistakable ; they contain in their oldest strata simple forms, and only simple forms, of life ; and as they become more recent, they show a gradual development of simple into complex forms, so that the earliest fossil-bearing rocks contain nothing more differentiated than the invertebrate crustacean ; these are followed by the lowest order of vertebrate fish, and these again by the lowest order of mammalia—the monotremes and marsupials.

It is not till the Eocene period that we find the higher order of animals which characterize our present fauna. Man physiologically and zoologically stands at the end and at the head of the system. This is the testimony of the rocks ‘writ large.’ There are so many pages of the testimony obliterated by fire, water, or both, that for a long time this general argument was all that the rocks afforded us ; indeed, the argument was so general, that naturalists refused to draw any positive conclusions from it. Fortunately, however, portions of

the story have been preserved for us in greater detail ; for example, the discoveries of Professor Marsh have revealed to us the development of the horse from a diminutive ancestor in the Lower Eocene, through stages so unmistakable that the gap which separated him from a five-toed animal has been completely bridged. As the animal increased in speed he gradually dropped his superfluous toes, and the process by which he dropped them is displayed in the eohippus, orohippus, mesohippus, miohippus, protohippus, pliohippus and equus, so clearly, that a mere glance at a picture showing the stages through which it was accomplished carries the conviction that the successive appearance of these seven animals in rocks of successive ages could not be due to accident, but must be in obedience to some law. Now this law has become known to us as the law of Evolution.

A somewhat similar, though by no means so perfect a succession, links man to an ancestor in the Miocene age, of which the existing anthropoid apes are probably degenerate descendants ; and the argument that man has developed in compliance with the evolutional law is strongly confirmed by the fact that the human foetus passes through stages which make it at various periods difficult to distinguish from those of the lower animals at corresponding stages ; for example, the human ovum for a long period is practically identical with that of the dog ; the yolk of the egg passes through the same segmentation ; the same primitive groove forming the floor of the same notochord, until a stage is reached when the foetus, resembling that of all the vertebrates, whether lizard, snake, frog or fish, gradually begins to vary ; the resemblance following a general law that 'the more closely animals resemble one another in adult structure, the longer and the more intimately do their

embryos resemble one another,'¹ the embryos of a snake and lizard resembling one another longer than those of a snake and a bird, the embryo of a dog and a cat resembling one another longer than those of a dog and a bird, and the embryos of a man and an ape resembling one another longer than those of a man and a dog. The human foetus seems, then, during its brief sojourn in the mother's womb, to pass through practically all the stages through which, during countless ages, the primitive cell has passed in developing from a protozoon to a man. In this way the story of Evolution that has lasted thousands of years is at every birth rehearsed, so that every one of us is an epitome of the whole history of animal life since its first appearance upon the world.

While the facts were being accumulated that tended to convince us that there was a connection between the countless species of animal and vegetable life, various speculations sought to determine what the nature of this connection was ; and of the many theories that have been propounded, two only need occupy us, for two only are any longer entertained by those whose special knowledge entitles them to express an opinion.

These two theories conveniently take the names of the two men from whom they mainly originated—viz., Lamarck's 'Theory of Transmutation' and Darwin's 'Theory of Natural Selection.' According to Lamarck, function has a tendency to adapt itself to environment, and the acquired faculties attending adaptation are transmitted by inheritance, so that every generation tends to be better adapted to its environment than the one that preceded it. The well-established strengthening of a limb by use, and its certain diminution by disuse, are cited in support of this doctrine ; for example, the domestic duck has but little use for its wings, whereas

¹ Huxley's *Man's Place in Nature*. p. 64.

it uses its legs much more in the domestic than in the wild state ; it is found, therefore, that in the domestic duck the muscles of the wing are less developed and those of the leg more developed than in ducks which are not domesticated.

The Lamarckian theory includes the following essential propositions :—

1. Functions tend by use and disuse to adapt themselves to environment during the life of the individual.
2. Functions so adapted are transmissible by inheritance.

According to Darwin, it is not so much to the inheritance of acquired faculties that we must look for the law of evolution, as to the struggle for life observable in both the animal and vegetable kingdom, the effect of which is that only the best fitted to the environment survive, and the rest perish. It is observed that all offspring differ from their parents in a more or less degree, and out of the various types thus produced, the environment, as it were, picks out those best fitted to it and sacrifices the rest.

The essential elements of the Darwinian theory are :

1. Variability of offspring.
2. Struggle for life.
3. Survival of the fittest through the
4. Selection exercised by the environment.
5. Transmissibility by inheritance of new types.

Special stress is laid here on variability being an essential factor of the Darwinian law, because, in the first place, it has not been so much insisted upon as the others ; and, in the second place, it has been particularly overlooked by some of our political philosophers. It is hardly necessary to point out that if there is no variation in offspring there is no opportunity for the exercise of selection ; in other words, if some are not better suited

to survive than others, there can be no operation of the Darwinian law ; survival would in such case be a matter of accident and not of evolution. But so long as some individuals are better fitted to survive than others, so long the better fitted will survive, and thus a species will tend always to become better adapted to the conditions which surround it.

Darwin fully recognised the important part probably played by use and disuse in the process of evolution, and Darwinism therefore, properly so called, should include adaptation of function to environment by use and disuse as well as by natural selection.

But the scientific world is to-day divided into two schools, called respectively Neo-Darwinian and Neo-Lamarckian—the former of which, headed by Wallace and Weissman, deny adaptation by use and disuse altogether ; while the latter, headed by Cope and Osborn, insist on the inheritability of acquired parts by use and disuse, and regard this inheritability as one of the most effectual factors in evolution.

The issue between these schools is too important not to command a moment's consideration.

Weissman's argument against the inheritability of acquired traits is twofold :

In the first place, he contends that the reproductive cells in the female are entirely independent of all the other functions of the body. The female does not build up these cells as she does those of the muscle and the brain. On the contrary, the reproductive cells are born with her, and reproduce themselves by segmentation. They have their own life history, and are as independent of the other functions of the body as coral is of the sea in which it lives. They depend upon the body for nutrition, just as coral does upon the sea. But here the independence begins and ends. And it is therefore im-

possible to believe that a trait acquired during the life of the body can be transmitted through a reproductive cell which is entirely (save for nutrition) independent of it.

In the second place, no case can be shown of an acquired trait being transmitted to offspring by inheritance.

To the first of these two arguments Lamarckians answer that the relation of the reproductive cells to the other functions of the body is too obscure to furnish a premiss from which it is safe to argue, and numerous indications of an intimate relation between the reproductive cells and the nervous system are produced in opposition to Weissman's theory. Moreover, physiologists generally recognise that the physiological argument alone is not sufficient to support the Neo-Darwinian position.

It is upon the second argument, therefore, that the battle wages most hotly. Is there or is there not a single case in which an acquired trait can be shown to have been transmitted by inheritance?

The Cope-Osborn school derives its argument mainly from palaeontology. Its method is to pile up instances of comparatively swift and singularly gradual adaptation of function to environment by what seems to have been use and disuse, and by the accumulation of evidence to force conviction.

Unfortunately, however numerous the cases cited and however difficult it is to believe that mere accidents of variation could result in complicated combinations of structure, such as we see in the relation of the anatomy of the giraffe to its elongated neck, no evidence derived from palaeontology can silence a Neo-Darwinian, because every result attributed by palaeontologists to the inheritability of use and disuse can equally well be explained

by natural selection. It may be improbable that in an environment which required a long neck a variation should occur which not only possessed a long neck but possessed also the peculiar form of hind-quarters and the correspondingly peculiar form of fore-quarters which make of the giraffe, not a freak or accident, but an ingeniously devised and carefully co-adapted anatomy. This may be improbable, but it is possible. And so long as this possibility exists, the doctrine of natural selection can suffice to explain the giraffe as well as that of use and disuse. This advantage of the Weissman school is well explained by Romanes.¹

'Show us, say the school of Weissman, a single instance where an acquired character of any kind (be it a mutilation or otherwise) has been inherited; this is all that we require, this is all that we wait for. And surely, unless it be acknowledged that the Lamarckian doctrine reposes on mere assumption, at least one such case ought to be forthcoming. Well, nothing can sound more reasonable than this in the first instance; but as soon as we begin to cast about for cases which will satisfy the Neo-Darwinians, we find that the structure of their theory is such as to preclude in almost every conceivable instance the possibility of meeting their demand. For their theory begins by assuming that natural selection is the one and only cause of organic evolution. Consequently what their demand amounts to is throwing upon the other side the burden of disproving this assumption—or, in other words, of proving the negative that in any given case of transmitted adaptation natural selection has not been the sole agent at work. Now, it must obviously be in almost all cases impossible to prove this negative among species in a state of Nature.'

It seems therefore as though, whether we look over

¹ *Darwin and after Darwin*, vol. ii. p. 54.

the record of palaeontology in the past, or over that of zoology in the present, we should always be met by the same assumption: variability and natural selection could have accomplished what Lamarckians attribute to use and disuse, and therefore the inheritability of acquired traits is not proven.

There is, however, one method—and apparently only one—of bringing the issue to a test. Weissman challenges the Lamarckians to produce a single instance in which an acquired character has been inherited. He cites in opposition to the Lamarckian hypothesis the well-known cases in which functional accidents and mutilations have not been inherited. For example, though for countless generations the Hebrews have mutilated their males, the Chinese have distorted the feet of their women, the Papuans have flattened the heads of their children, and horse-breeders have docked the tails of their horses, there does not seem to be any tendency in the organ so mutilated to transmit its modifications by inheritance. He excludes all evidence of inheritability of acquired traits which can be explained by natural selection, and demands a case where in our actual experience a trait acquired or mutilation effected in the lifetime of the parents is transmitted to offspring by inheritance. To this challenge Lamarckians produce the experiments of Brown-Sequard, who, in experiments made upon thousands of guinea-pigs during some thirty years, claims to have shown that the effects of eight different kinds of mutilations have been transmitted by inheritance to offspring. These results are said to have been confirmed by two of his former assistants, Dr. Dupuy and Professor Westphal, and by the independent investigation of Obersteiner. Of these eight cases Romanes, himself an anti-Lamarckian, while failing to corroborate all, has been obliged to admit corroboration of some.

Weissman has attempted to explain away the results of Brown-Sequard's experiments by contending that his mutilations introduced a microbe that affected the reproductive cells ; but this attempt fails in view of the fact that in one set of experiments the mutilation was effected by a blow on the skull and not by incision. The possibility therefore of the admission of a microbe by incision is in this class of experiments eliminated. Nevertheless the exophthalmia produced by this blow was transmitted to offspring.

If to these experiments of Brown-Sequard be added the evidence offered by both palaeontology and zoology, the development of reflex action and of instinct, and certain instances where, as pointed out by F. W. Hutton,¹ the process seems to be going on before our very eyes—as, for example, in that of flat fishes (*Pleuronectes*), which, in the process of getting both eyes to look upward, are born with their heads twisted sometimes to the right and sometimes to the left ; or in that of ampelopsis, one variety of which (*Ampelopsis hederacea*) has no traces of adhesive pads until contact with an adhesive wall has occurred, while the others (*Ampelopsis veitchii*) have the pads in course of development before contact has taken place—it seems difficult to deny the operation of use and disuse in the process of evolution.

Lloyd Morgan in England, Mark Baldwin and H. F. Osborn in the United States, have lately proposed a theory of evolution which they have christened 'organic selection.' This theory is summarised by Professor Osborn under three heads :²

Firstly, emphasis is laid upon the almost unlimited powers of individual adaptation.

¹ *Darwinism and Lamarckism*, pp. 154, 165.

² 'Limits of Organic Selection' (*American Naturalist*, November 1897).

Secondly, such adaptation persists without any effect upon heredity for long periods of time.

Thirdly, heredity slowly adapts itself to the needs of a race in a new environment along lines anticipated by individual adaptation, and therefore along definite and determinate lines.

This statement of the most recent phase of Neo-Lamarckianism has the advantage of being less assertive than the previous claims of the school. Instead of stating a law, it points out a tendency; and as Nature proceeds slowly, almost stealthily, along the path of evolution, it probably by so much approximates to the truth.

No naturalist any longer doubts the truth of Darwin's law, and it is probable that when the dust of the conflict between Weissman and his adversaries has blown away, none will deny a limited operation of Lamarck's law either. At the beginning of the century geologists were similarly divided between those who followed Werner in the belief that all rocks were formed by water, and those who followed Hutton in the opposing doctrine, that they were all formed by heat; now we know that some are formed by water, some by heat, and some by both. Similar will probably be the result with regard to this question of heredity, for although selection by the environment will doubtless continue to play the principal *rôle* in evolution, it is probable that acquired traits will be ultimately admitted to play a *rôle* in determining the character of variation; and when, if ever, research is sufficiently endowed to permit of experiments extended over a period longer than the working years of any one man's life, we shall see this process going on, and the light thus shed on the subject will dispel the obscurity that now hangs over it. As matters to-day stand, however, we shall be safe so long as we adopt those points

of the two theories that are recognised to be true by all, and leave disputed points to biologists.

All naturalists to-day are agreed upon the controlling effect of the environment upon race ; all are agreed upon the fact and importance of variability, and no one doubts that traits produced by variability are transmitted to offspring.

Now, in view of the controlling influence of environment in both theories, it becomes, above all, important to note that neither the theory of Lamarck nor that of Darwin necessarily involves the notion of improvement. Neither of them claims that there is a tendency to progress in Nature any more than a tendency to deteriorate ; they both show merely a tendency of function to adapt itself to environment. If the environment be favourable to progress, there is progress ; but if the environment be favourable to deterioration, there will be deterioration.

There is nothing connected with this subject which it is more important to keep in mind than this, because the word evolution has become unfortunately synonymous in the minds of many readers with that of development ; and, alas ! evolution is often the diametrical opposite of development. Development includes the idea of improvement ; evolution includes both the idea of improvement and that of degeneration. Development includes the idea of progress from simple to complex function—from the single cell of the protozoon to the multitudinous cells of man. Evolution, on the contrary, includes the idea of degeneration from the large-winged birds that flew over vast sea spaces to the small-winged birds, which, perhaps because they inhabited islands so far out to sea that flight was dangerous, gradually lost their wings by disuse ; from the fish with eyes of our surface rivers to the fish without eyes of the caves of Kentucky.

But evolution involves even more degeneration than

this, for if the environment be sufficiently unfavourable, the degeneration proceeds to the point of destruction, as in the Arctic regions, where moss alone survives, or in the alkali desert where all vegetation disappears save sage brush. And it is interesting to note how it is that evolution has erroneously come to be synonymous with development. Evolution is not unlike the famous duellist, who, being charged upon his death-bed to forgive his enemies, answered, 'I have killed them all.' But she is more hypocritical, for she holds up to our admiration her few successes and spreads her skirts before her many failures ; and so, inasmuch as we have before our eyes only those forms of life which have graduated from Nature's uncanny school in an environment which has been propitious to advancement, we associate progress and development with evolution, forgetting that, in less propitious environments, the lifeless desert and the eternal snow tell a different story.

Before we attempt to sum up our conclusions regarding evolution, there is one thing more about which our unsophisticated ideas require a little physiological sophistication ; we have to understand what is *physiologically* meant by progress : The simplest form of life is a single cell, which, whether animal or vegetable, seems to be little more than a mere mechanical automaton ; how it originally came into existence we do not know, but we do know—for we have observed it—the law of its growth, propagation and decay ; and from this single cell we are able to follow a development through more and more complicated arrangement of cells, to the most complicated of all in man.

Herbert Spencer throughout all his works regards evolution as though it were a development from 'indefinite incoherent homogeneity to definite coherent hetero-

geneity' ; this definition, however, does not take account of the fact that if the environment be not favourable to development, but unfavourable to it, the movement will be directly the reverse of this—namely, from definite coherent heterogeneity to indefinite incoherent homogeneity. In other words, although it is perfectly true that evolutional *development* is admirably described in these words of Herbert Spencer, it is equally true that evolutional *degeneration* is totally left unaccounted for by them. Development is almost always from indefinite incoherent homogeneity to definite coherent heterogeneity, in mechanics as well as in biology ; almost every human invention is marked by these characteristics ; but it would not, for this reason, be reasonable to describe the process of invention as one of evolution. Again, evolution is not only a process but a law ; that is to say, given a living body and an environment, and the living body will adapt itself to that environment, not by any one process, but by whatever process happens to be the most convenient under the conditions. All attempts to generalise on the character of the process have failed ; Nature is fertile of expedients beyond the invention or the imagination of man : put a living body in a new environment and it will adapt itself to this environment or perish ; but *how* it will do so, whether by increase of heterogeneity or decrease of it no man can certainly say. In the same way, inasmuch as a simple cell is not provided with the organs necessary to rear its young, Nature proceeds upon the simple but apparently wasteful plan of reproducing low forms of life in millions, so that out of the millions a few survive ; but as the animal develops special organs which both better fit it to struggle against the hostile elements in its environment and also enable it to care for its young, offspring become less numerous, so that while bacteria breed at the rate of thousands per

minute, the elephant breeds but once in three years. Again, it must be noted that the great fertility of low forms of life is of service to the higher forms, for it furnishes to these last a large and constant supply of food.

In the course of evolutional development we observe that, as a general rule, the simpler a form of life is the less it can accomplish, the more profusely it breeds and the less care it gives to its offspring ; while, on the contrary, the more complex the form, the more it can accomplish, the less profusely it breeds and the more care it gives to its offspring. In this increasing complexity of structure the animal machine made by Nature does not differ much from the mechanical machine made by man, as may be judged by comparing a row boat with a Transatlantic steamer, or a wheelbarrow with a locomotive. The more things a machine is asked to do, the more parts it must have specifically constructed to do these things.

What, then, is the law of evolution, whether according to the theory of Lamarck or according to that of Darwin ? It is this :—all forms of life, animal and vegetable, tend to adapt themselves to the environment, by adaptation of function or by the survival of the fittest, or by both ; the environment destroys all forms that are not suited to it, and allows only the suited to survive. If the environment be favourable to development of function from simple to complex, there is what we call progress ; if the environment be unfavourable to this development, there is what we call degeneration ; this process has gone on with ruthless disregard to the individual, and has had for effect the evolution in certain favourable environments of simple into complex structures in conformity with certain rules that seem inexorably

rigid. And amongst these rules there stand out two which are of special interest to the political student, viz. :—

There must be variability in offspring, or there can be no improvement by selection.

There must be an environment favourable to the development of higher types, or there will be no improvement by selection.

Improvement by selection, therefore, seems to depend upon two conditions : variability, in the first place, and, in the second place, an environment favourable to higher, as distinguished from environment favourable to lower, types.

If we admit the Lamarckian doctrine in the slightest degree, to that degree we may also admit as a possible third factor of natural evolutional improvement—effort.

We have now reached a point where we can usefully summarise the conclusions to which we have come regarding the words Nature, Law of Nature, and Evolution, and trace the connection between them.

We said that the word nature, like all words of comprehensive meaning, had been used in many different and in some inconsistent senses ; but that, taking account of the original meanings of the word, and of those which seemed to be most constant throughout the various derivations to which it gave rise, the word could most conveniently be used to include everything in the world which man perceived, and thus to exclude that part of man which perceived, and that part of him which in some sense shared with the Creator in the power of resisting and transforming Nature to his use. In this sense Nature becomes opposed to the conscious effort of man, and the domain of Nature becomes contrasted with that domain which man has, as it were, carved out of Nature for his own, and which may be roughly expressed by the word art.

When we afterwards came to examine the term Law of Nature, we discovered that this term was used in senses so opposite that, unless we frankly adopted one and abandoned the others, it would be impossible to use it without inextricable confusion. Thus the law of gravity is, according to the obvious use of the word Nature—a law of Nature ; whereas the law of marriage, which the Roman Law declares also to be a law of Nature, is clearly not at all a law of Nature but a law of man. It was shown that the law of Nature is a necessary law, to which man can make no exception, and against which there lies no appeal ; whereas a law of man is a purely conventional law, to which man can make exception, and which he can amend or repeal at his pleasure. Obviously the same words cannot be used to include two kinds of law so opposite as these. We therefore concluded that the use of the words law of Nature, as defined by the Roman Law, and as still used by many writers, is confusing and inaccurate, and that the expression should be confined to mean what the words obviously mean, that is to say, a law of the material world, such as the law of gravity or the law of evolution.

And as the law of evolution is of all natural laws the one which most concerns the security and advancement of race, we next sought to learn accurately what the law of evolution really is ; for if there be such a natural law it is clearly one with which students of government are particularly concerned, government being itself nothing more and nothing less than the conscious effort of social man to secure and advance himself in the world. And we found that there was indeed a natural law, clearly known to us only since 1858,¹ which is for ever engaged in fitting all forms of life, whether animal or vegetable,

¹ The date of the publication of the first essays of Darwin and Wallace on the *Origin of Species*.

to the environment; and that when the environment was favourable to the development of function from simple to complex, forms of life became more and more elaborate, and that at last there seemed to have been evolved a form of life so elaborate that it was able to take the question of further advancement out of the hands of Nature into its own. This last product of evolution—man—is the subject of our inquiry, particularly those functions of man which are concerned in the problem of government; and it is clearly of consummate importance that we should understand the rules of the great game in which he is engaged if we want to help him in the winning of it. Here, then, is the connection between the subjects of the preceding and that of the present chapter.

Nature is, as it were, at once our chessboard and the men upon it—kings, queens, bishops, knights, castles and pawns. We must know the limits of the board, that is to say, the exact domain within which we can resist Nature, and we must know the laws under which the kings, queens, bishops, knights and pawns move and fight one another, that is to say, the laws of Nature. If we understand these laws, then we may regard ourselves as playing, with the help of these laws, upon a limited field against the tendencies in Nature which are always trying to checkmate us, remembering that we never disregard a natural law without paying the forfeit. But if we know neither the limits nor the laws of Nature, then our men will for ever be lost to us by attempts to resist Nature at points where she is irresistible, or by paying forfeit to that adversary which knows all the laws of Nature and never overlooks a disregard of them.

It is for this reason that the necessary time has been given to a clear understanding of the limits within which

Nature's realm is bounded, and a clear definition of the inexorable laws which govern it.

We concluded from a study of these laws that in the domain of Nature those races only progressed which produced variation in offspring, and which were situated in an environment propitious to increasing complexity of structure, and that the principal method of progression was by the destruction of all those variations which were not fitted to this environment.

Now, in comparing the conditions which make progress in the domain of Nature with the conditions which man has made for himself, we shall be struck by several important differences :

In the first place there are a great many races of men in which variation in offspring seems to be comparatively slight, as, for example, among the Negro races.

In the second place, men are living in climates which do not constitute a favourable environment for the progress of the race ; for example, the equator and the Arctic zone.

And in the third place, wherever man is civilised, and the more civilised he is, the less is the process of selection by the destruction of the unfit in operation. Indeed it may be said that the first and main object of government is to protect the lives of men from the operation of this natural law. So that the law of evolution, *in so far as it means the survival of the fittest*, is not much in operation amongst savage men, and, amongst civilised men, practically not at all.

Here, however, we have to be very careful of the words we use, because, although the law of the survival of the fittest may not be in operation amongst civilised men, in the sense that the men most fitted to the environment alone survive and the rest are killed off, it

will be found still to be in operation in another sense ; for, although we do not allow the less fortunate part of our population to die off, as in a state of Nature they certainly would, our civilisation has created a certain artificial or modified law of evolution under which the fortunate part of the population gets a lion's share in the good things of the world, whereas the less fortunate get only a very miserable share in them, or, as it is expressed in political economy—only the minimum living wage.

Again, although there may not be a survival of the fittest in the sense that the unfit perish, nevertheless there is undoubtedly an inexorable survival of the fittest in the artificial beings which the ingenuity of man is always bringing into the world, such as institutions of priesthood, institutions of marriage, institutions of government ; and in this connection we cannot too clearly keep in mind that this survival complies with the natural law of evolution in allowing only those institutions to survive which are fitted to the environment ; and that if the environment be ill-adapted to human progress, only those institutions will tend to survive which tend to degrade man ; whereas, if the environment be well adapted to human progress, those institutions will tend to survive which tend to improve him.

The extent to which the natural law of evolution is still operating in human society will be worked out more in detail later on. We are only concerned here with the fact that there is a remarkable contrast between the working of the law of evolution in a state of Nature, and the working of it subject to the influence of man ; and as in this summary the opportunity has been taken of emphasising the distinctions and definitions under which alone we can intelligently use the words Nature

and law of Nature, so now we close this chapter by recalling how carefully we must distinguish the word evolution from the words development or progress, because evolution means adaptation to environment, and the question whether the adaptation will result in progress or degeneration depends on the nature of the environment. This is admitted in the state of Nature by all naturalists without exception, and will turn out to be true in the modified conditions produced by human effort, not only as regards race, but as regards those institutions which constitute civilisation and government.

But it must not be forgotten that the law of evolution is a very different thing in its application to animal and vegetable life in a state of Nature from what it is in its application to civilised man living under one of the many forms of government which he has devised mainly for the purpose of resisting it. Just what the difference between these two is, comes next in the order of our inquiry.

CHAPTER II

HUMAN DISTINGUISHED FROM NATURAL SELECTION

§ 1.—*Introductory*

It has been pointed out that Nature proceeds upon the plan of extraordinary fertility in the lower forms of life in order to compensate by this fertility for the unfitness of the individual to cope with the hostile elements in the environment. For example, inasmuch as every form of life is the natural food of those able to devour it, clearly the less a form is able to defend itself the more easily it becomes a prey ; and, unless there are many more than those who feed upon it can devour, it will promptly become extinct. Only those of the simple forms of life, therefore, survived which were so prolific as to breed more than the selection exercised by the environment could destroy. Animals, then, are naturally divided into two classes—those that devour and those that are devoured ; and out of these two classes there are necessarily developed very different temperaments.¹ The devouring class tends to be aggressive, persistent, and cruel. The devoured, on the contrary, tend to be gentle, timid, and unpersistent. These opposite characteristics are displayed in the pursuit of a rabbit by a weasel. The rabbit is excitable and timid ;

¹ I am going to ask to be allowed to use the word temperament to include all the qualities with which we are born, as distinguished from character, which will be used to include also those which, by education, experience, and self-discipline, we acquire.

it is incapable of a persistent plan of action. When it perceives that it is pursued, it flies at a rate of speed unnecessarily swift ; the moment it loses sight of its pursuer it loses mind of him, and returns to grazing or gambolling with its fellows. The weasel, on the other hand, though less swift than its quarry, is more pertinacious ; with its gift of scent it maintains the pursuit and comes a second time upon its victim ; it is never diverted from the one it has originally selected ; it picks it out amongst all its fellows with an accuracy that is unerring ; the rabbit, discovering itself still pursued, bolts off once more at a speed so indescribably superior to that of its pursuer that it seems hopeless for the weasel to continue the chase ; and yet, with the pertinacity that distinguishes the carnivora, the chase is pursued ; and time and time again the rabbit, incapable of sufficiently persistent flight to get permanently beyond the reach of its pursuer, is caught up ; until at last, overcome—not by superior speed, but by terror and the sense of fatality that so often paralyses men—the rabbit gives up the effort and, cowering down, permits the weasel to run up its back and fasten its fangs behind the ear.

Now, the opposite characteristics of these two classes set them upon different conditions of life : the weakness, gentleness, and timidity of the herbivora induce them to live in communities or flocks ; whereas the savageness and selfishness of the carnivora keep them isolated ; these last neither need to associate with one another nor would their ferocity permit of such association. And so we find horses, cattle, deer, geese, ducks, and such-like living in flocks ; while bears, lions, tigers, gorillas, and their like live in families, or quite alone.¹ Now, the

¹ I am aware that some exceptions can be taken to this generalisation, but we are not dealing here with inexorable laws, but with tendencies. Thus there are all sorts of animals that must be classified in the predatory system somewhere between the lion and the deer ;

tendency of animals that are habitually hunted to herd gives rise to certain developments of intelligence which are peculiar to herding animals ; whereas the habit of isolation gives rise to certain developments of intelligence that are characteristic of the carnivora. Thus, wild geese, antelope, and many other of these animals set out sentinels to warn them of the approach of an enemy ; they follow a leader, which is generally the father of the flock ; and there is developed in them the embryo of the social mind¹ which is doubtless at the foundation of our societies of men as well as of the lower animals.

On the other hand, habits of isolation engender aggressiveness and ferocity, which, when subjected to self-restraint, are capable of becoming transformed into courage and self-reliance.²

Now, in omnivorous animals, such as some apes and men, whose dentition and alimentary canal show that they share the habits of both herbivorous and carnivorous animals, it is quite natural that we should find blended the characteristics of both classes that have just been described. In every man, then, there is some of the courage, pertinacity, and self-reliance of his carnivorous ancestors, and some of the timidity, frivolity, and gentleness of the herbivore ; in some men the former prevail, in others the latter ; so that we find in human society every combination of these qualities, from the bully to the coward, from the philanthropist to the wolves, for example, who sometimes hunt in packs, though only in extreme cold and for the pursuit of food ; and jackals, which are less fierce than wolves, and capable apparently of living in more permanent association. In spite, however, of apparent exceptions, the tendency of timid animals to herd, and of fierce animals to live alone, is not only reasonable, but confirmed by observation.

¹ Giddings's *Sociology*. Professor Giddings confines the social mind to man. I am careful therefore to trace here, not the social mind itself, but its embryo.

² *Evolution and Effort*, chap. v.

criminal ; and it is out of all these varying proportions of good and bad qualities that society is formed.¹

Now, if we turn our attention to our distant cousin, the gorilla, it is obvious that he is not by Nature fitted for social life ; he is so powerful and fierce that he has driven even the lion from his habitation, and he is never found in the society of any of his fellow-creatures except his immediate family. But, as has been before intimated, the gorilla is probably the degenerate descendant of a common ancestor ; and if we refer to such human records as we have in kitchen middens, in ancient literature, and, perhaps best of all, in the habits of existing savage races, it becomes clear that from the common ancestor, from which have sprung the apes that live in communities as well as those that live alone, and from the family which is common to even the most savage of the carnivora, has slowly sprung the patriarchal social life described in the Pentateuch.

The story of the development of government from that of the family to that of the State has been told so often and so well² that it will not be repeated in detail here. Suffice it, then, to say that man, being possessed of the qualities of both carnivora and herbivora, has mingled within him both the ferocity which tended to make community life difficult and the social mind which tended to make it easy ; and that in various families these two opposite and yet essential qualities were distributed in different proportions, so that in

¹ This must not be understood to assume that man has descended from the carnivorous and herbivorous animals referred to. On the contrary, it seems clear that his line of descent breaks off from the genealogical tree before it developed into these particular forms. This, however, does not render it any the less true that man partakes of the character of herbivorous and carnivorous animals, and that both races of men and individuals differ in the degree to which they partake of the character of one rather than of that of the other.

² Bagehot's *Physics and Politics*; Sir Henry Maine's *Ancient Law*.

some the social qualities prevailed, in others the ferocity. Both played important functions in the ultimate formation of the State ; because, when the social qualities were sufficiently developed to permit of military drill and organisation, the powers of defence resulting from such drill and organisation proved strong enough to resist the attacks of other races which were more fierce, but for this reason less perfectly drilled and organised. But if, in spite of organisation, the family or tribe were so lacking in courage that, like a herd of deer, they were moved by attack to flight rather than to defence, they were sure eventually to fall a prey to their more aggressive neighbours ; and thus there arose a perpetual struggle between families and tribes, that family or tribe prevailing in which there were united in the most successful proportion docility enough to permit of drill and courage enough to resist aggression. In obedience, therefore, to the law of evolution in a favourable environment, there were thus produced communities of men which combined the social mind of the herd with the courage of the carnivora ; and in the earliest epoch of which we have knowledge, as well as later, we have clear evidence that the social condition which prevailed was essentially military, courage being during the period of *physical* struggle essential, and social qualities being secondary. For example, while docility, which is a herding quality, is indispensable to military drill, it is valueless unless accompanied by courage ; whereas courage can make itself feared and obeyed without a highly developed docility. In a given community, therefore, individuals which possessed the courage took the leadership ; and if the other members of the community had courage enough as well as docility enough to follow the leader such a community necessarily became organised upon a military plan, and tended by virtue of

its military plan to prevail ; whereas, if the leaders lacked courage as well as the rest, however capable the civil organisation, it was unable to defend itself against a military attack. During the stage of military struggle, therefore, and this was obviously the first stage, every organisation succumbed to the one which was from a military point of view superior, and the best military system survived.

Now, as one family or tribe gradually subdued its neighbours and enslaved them, it tended to increase in numbers and at last become so powerful that the stage of purely physical struggle yielded to one of comparative peace, during which weapons were improved ; and with weapons and permanence of habitation came agriculture and improvement in the arts.

But agriculture and improvement in the arts brought comparative luxury and comparative enervation, and so tribes that had enjoyed peace long enough to forget and lose the art of war became a prey to neighbours more trained therein. Now, if these conquering neighbours were able to appropriate to themselves and use the better weapons and the better peace organisation of the tribes they conquered, without losing their qualities for war, they would by such conquest make a permanent step in advance ; whereas, if they were not capable of such appropriation and use, without loss of warlike qualities, they would make no such step in advance, but, on the contrary, themselves soon become a prey to other tribes, regarding whom the same argument would apply ; the tendency being for those tribes to survive which were able to make best use of the qualities and institutions that result from the social state without losing those that result from war.

So far it would seem that there is nothing in the progress of the human race that in any way differen-

tiates it from the lower animals, and especially from that diminutive but marvellous insect the ant. It is true that man, even at this stage of his development, used weapons, but so does the elephant and the ape; in all other respects his social condition is not a whit advanced over that of his humbler relations. In the fact that the family has extended to the tribe,¹ that the tribe builds houses, sows and reaps corn, stows away the harvest, trains a standing army, makes war, captures slaves, domesticates animals, and in the conflict with other tribes obeys the great law of evolution as to survival of the fittest, man is equalled, if not outdone, by the ant. It is difficult to see, then, in what respect, if at all, the law of evolution fails to apply to man in this primitive stage, and we shall have, I think, to conclude that, so long as the progress of man did not get beyond uniting the social organisation of the ant with the tool-using faculty of the ape, the law of evolution applied to him as widely, as powerfully, and as inexorably as to any of the lower animals.

So far, however, we have regarded him only as an animal, developed in intelligence above all other animals, but differing from them in degree only, and not in kind. But here we shall have to abandon the purely zoological method. Man is not merely an animal, and all attempts by *soi-disant* scientific men so to regard him are to the utmost degree unscientific, for they neglect to take account of a *fact*; and true science prides herself upon her conscientious search for fact, and upon her intelligent interpretation of fact, whatever be the consequences, even though one of the consequences be to put a limit upon her own domain.

¹ Spencer claims that an ant colony is a large polyandrous family with a single mother, and not therefore a tribe; this, however, is a mistake; ants' nests contain many mothers.

Now, the fact which pseudo-science fails to take account of in its estimate of man's development, and the one to which true science must give its full value is—religion.¹

§ 2.—*Rôle of Religion in Human Selection*

We have heretofore avoided matters of controversy by taking out of such theories as those of Lamarck and Darwin only such parts as are admitted by all; but if we were to attempt to deal with religion without very carefully defining it, we should be at once plunged into matters of controversy so irreconcilable that we should probably never be extricated therefrom. It may be that upon questions of religion controversy cannot in

¹ I do not want to interrupt the argument by referring here to Mr. Kidd's book on social evolution, and yet those who have read Mr. Kidd may not think it amiss that I should point out just where I concur with Mr. Kidd and where I differ from him. We both clearly agree in giving to religion a principal rôle in social development, but we differ in almost everything else. Mr. Kidd defines religion as 'a form of belief, providing an ultra-rational sanction for that large class of conduct in the individual where his interests and the interests of the social organism are antagonistic, and by which the former are rendered subordinate to the latter in the general interests of the evolution which the race is undergoing.' Now, religion doubtless *has* served as an ultra-rational sanction for submission to injustice, but has it served no other purpose? A soldier might use the lead point of a cartridge to write a letter, but would it for that reason be correctly called a lead pencil? In Iceland, where houses are few and inns are none, churches are used by travellers for shelter during the night; would a church for that reason be rightly called a dormitory? As a matter of fact, cartridges and churches were intended for purposes very different from these; and by the same token religion—which is believed by many to have been, to be still, and likely always to remain, the most profound factor in the making and development of man—cannot be confined to serving as a mere counterpoise to revolution. Again, while I recognise that religion has played an important rôle in social development, I totally differ with Mr. Kidd as to the rôle he makes religion play in social evolution. As, however, I have already insisted upon the difference between the words 'evolution' and 'development,' I shall not dwell farther on this point than to refer to the text, which sufficiently explains that religion has at certain periods done more to resist development than to help it.

any way be avoided, but we can at any rate make the grounds therefor as narrow as possible by leaving no doubt as to the sense in which we use this so often mis-used term. To many people religion is identical with a particular creed ; it seems, however, a better use of the word to extend it to that which underlies all creeds—that is to say, *to a motive for action and a rule of action which is dictated by a supernatural power, or what is believed by the person moved and governed by it to be a supernatural power.* This definition is carefully drawn, so as to explain, without religious or anti-religious bias, the fact of religion. We may possibly indulge ourselves in the luxury of a bias later on ; until we do, we are bound—by the agreement under which we set out upon this inquiry—to look at facts as they are, and to eliminate the apprehensions of these facts that are denominated Christian or anti-Christian, Theistic or Atheistic, according as they recognise or deny the Gospel of Christ and the existence of God. Every inquirer into the history of government must recognise the fact that man has been influenced and governed by a motive which he has regarded as supernatural. Now, the distinguishing of this fact is of importance in a study of evolution, because the biological doctrine of evolution proceeds upon the silent assumption that animals act only in satisfaction of physical needs, and does not at all take account of the fact that man is an animal which sometimes acts in opposition to them, and that in the extent to which he does so he differs—in degree, at any rate—from other animals.

And before undertaking to study just how far this motive and this rule which we have called religion interferes with evolution, it may be well to point out that the sketch of the development of man from a solitary savage, just attempted, does not purport to be a

history of exactly what happened, but rather a history of what would have happened if man had been actuated only by the same motives as the lower animals. No one knows exactly what has happened ; we can only guess at it ; and as we have no means for determining exactly at what period in man's development the religious motive appeared, it is difficult for us to do more than theorise about the steps through which man passed in the course of it. But as to two orders of event we are practically safe ; we can rigidly apply to man the process of evolution such as we know it from a study of other animals, and we can be pretty sure that *until* this religious motive appeared in the world this process did so operate in man ; and we can study man as he is to-day after the religious motive has been actuating him for some thousands of years. A comparison between the results of these two inquiries ought to give us a fairly accurate conception of just what *rôle* religion has played in the process of civilisation.

There is, however, one other precaution, mention of which must not be omitted : It may be difficult at every step to separate religion from intelligence in the study of human development. Volumes could be written to show now that the one, now that the other, has had a principal part to play in it. The fact seems to be that both have at different times played *rôles* that not only differed in importance but differed in effect : so that while intelligence is at one time fighting evolution by fighting the environment, it is at other times yielding to evolution by yielding to the environment ; and while religion is at one time pushing on the work of evolutional destruction by inflaming man to war, it is at another time not only resisting the operation of this law, but actually arresting it by persuading man to peace. Thus when our Miocene ancestors migrated

South before the cold wave that ultimately became the Glacial epoch, they yielded to the environment and degenerated into the ape and the baboon ; when, on the contrary, some of them refused to migrate and by the application of intelligence clothed themselves in the skin of other animals, they resisted the environment and developed into the cave dwellers of the Dordogne. But when the Persian king Cambyses ordered the massacre of all Egyptians who worshipped the god Apis, a cruel religion taught him to slay those that a kindlier intelligence would have induced him only to enslave ; and when the Greeks, in defence of conflicting religions, destroyed one another in the Amphictyonic wars, they carried the work of destruction which forms part of the law of evolution farther than it is ever carried in the animal kingdom ; for while communities of ants will in obedience to the evolutional law destroy one another in the struggle for life, there is no religious motive to increase the occasions for war.

On the other hand, although religion has been used as a motive for even more ruthless destruction than the natural law of evolution demands, since it has added a new motive for destruction that the natural law knew not of, it has also served in later years to arrest the destruction demanded by this law, and indeed, as Mr. Kidd has pointed out, it has contributed to accumulate a fund of altruism which is uprooting long-standing social abuses from their utmost depths.

The foregoing illustrations will serve to show that no broad generalisations can be correctly made regarding the respective *rôles* of intelligence and religion in the development of man. They each have to be scrutinised in some detail in order to distinguish how far they have helped and how far they have retarded development, and particularly how far they have helped and how far

they have retarded that other process—so different from development—called evolution.

To this inquiry we shall later direct our attention. But before we can usefully do so it will be necessary to complete our study of human evolution, and particularly to study it at the many points in which it differs from the natural evolution that preceded it.

§ 3.—*Analysis of Human Evolution*

It has been already pointed out that intelligence alone—and intelligence no other in kind and hardly greater in degree than that shared by man with the lower animals—was capable of bringing man to a social state such as we observe in savage races of to-day ; in other words, the herding instincts—or the inherited intelligence of herding animals—combined with the savage instincts of solitary carnivora, were quite sufficient to account for the social habits of existing barbarous races. We may now pass to the question how far intelligence, advanced to the development found in civilised man—assisted or impeded by religion, as the case may be—has served to modify the operation of evolution in our race. Inasmuch as it is upon the result of this inquiry that we shall have to depend in distinguishing how far the inexorable laws of Nature are applicable to human institutions and human development, we cannot be too careful to avoid in the course of it the confusion which arises from a misuse of scientific terms.

We have seen that the law of evolution supposes three things—variability in offspring ; competition between offspring ; and selection of the fittest by the environment. Evolution then, properly so called, cannot exist without variability, competition, and a selecting environment.

If there be no variability, and if the environment changes, as it continually does, the race must perish through inability to adapt itself to changed conditions. If there be no competition, all offspring will equally survive, the fit and the unfit, until, by the increase of the race, competition for food sets in and selection by the environment takes place. Again, competition outside of human society is a competition not for comfort but for life, for it is by the *death* of the unfit that the principle of survival operates. This is no rose-water prescription for race-improvement; it is a merciless law of misery and death for the million, happiness and life for the few. Again, the environment is not always one which favours the advancement of a race; it is often one which tolerates only its degeneration and destruction; those types alone survive which respond to it. Thus under the predatory law the surviving carnivora are those which are most expert at killing their quarry, and the surviving herbivora those which are most prompt and rapid in escape. Nor is this environment, which such poets as Wordsworth worship under the name of Nature, a beautiful thing, unless that can be deemed beautiful which covers the claw with velvet and stripes the assassin of the jungle, so that, as he crouches in the bamboo, he may be less easily detected by the prey for which he waits.

And now let us consider how this cruel stepmother, environment, acts. Like the old god Chronos—the oldest of all the gods—she is for ever devouring her children, and it is only when they are favoured by the beneficent forces in Nature that they escape. She has a great number of contrivances for destroying them; these contrivances are grouped by scientific men under the name ‘natural selection’; that is to say, the methods of Nature for selecting a few and destroying the many.

They are of a twofold character : one method of destruction is by climate, another is by competition. Climate destroys in a wholesale fashion in the Arctics and in the desert, but with more discrimination everywhere else. The environment—by excesses of heat and cold—is always destroying those types unfit to bear them, vegetable as well as animal, and by destroying vegetable types is indirectly destroying those animals which feed on them : at one time, by withholding moisture, destroying by drought ; at another, by lavishing it, destroying by flood. By withdrawing the rays of the sun she covers the earth with ice and snow ; by pouring them down upon it she reduces it to burning sand. But by the side of this devouring god sits bountiful Rhea, whose fertility is greater than Chronos can consume, and in her service are the beneficent nymphs and genii, by virtue of whose ministrations the watchfulness of the voracious environment is eluded. Fur is grown, or layers of blubber developed, to protect from cold ; the skin is hardened to the fiercest rays ; the intestine is furnished with a reservoir to provide against drought, the foot expanded to support weight over the softest bog ; and so the Titanic forces of the earth become strong enough to check the devouring environment, but to check only, never to destroy—for Chronos, though bound by chains, is still and for ever engaged in his work of destruction.

But, in addition to this direct system of destruction by the god himself, Nature exerts her merciless war on the unfit through the instrumentality of the fit. This is the second method, which has been described as that of competition ; that is to say, destruction by struggle with one another for food. And this struggle is of two kinds : that of one species with other species, that of individuals of the same species with one another. This distinction cannot be too carefully kept in mind, for we shall find

that in the application of the law of evolution to man it will play an important rôle. In the first of them—that is to say, in the struggle of one species with another—individuals of each destroy those of the other directly for purposes of food, or they destroy one another indirectly by greater skill in the pursuit of food, or they fight one another out of sheer ferocity. Thus the carnivora devour the herbivora; one species of carnivora renders life impossible to less vigorous species by destroying the food common to both species, and one species chases the other out of its territory through sheer ferocity—as, for example, where the gorilla drives out the lion, though the gorilla does not compete with the lion for food or in any other particular.

In the second kind of destruction by competition, individuals of *the same species* destroy one another indirectly by greater skill in the pursuit of food, and directly by struggle for the female; this last is called ‘sexual selection’.

It appears, then, that the environment selects the types most fitted to survive through two principal agencies—climate and competition; and selection by competition is again divisible into the struggle for life between one species and another, and that between individuals of the same species; in this last must be distinguished the selection which has been characterised as sexual.

With these clear ideas as to just how environment selects the most fitting types amongst the lower animals, we are at last in a position to study how far and to what degree she exerts this selection on man.

§ 4.—*Climate*

And first as regards climate. Man originally selects climate—or, it would be more correct to say, is selected

by climate very much as animals are ; that is to say, he adapts himself to it, and improves or degenerates, according as the climate is propitious to improvement or degeneration. Thus, without discussing what part of the world was the cradle of the human race, it is universally admitted that early civilisation prospered in subtropical climates—as, for example, Mesopotamia, India, China, Egypt, Mexico, and Peru. Man cannot be said to have chosen these countries, for he doubtless inhabited other parts of the world also ; but these countries by their warm climate and great fertility (for it is probable that, before the destruction of the forests in the East, Asia was infinitely less arid than now) were best fitted to support the kind of civilisation which marks that period of man's history that precedes Christ. But as civilisation advanced, by improvement in the arts, man was enabled to live in colder countries, which, because they furnished food with more reluctance, put the race upon its resources, and permitted the acquirement of a more vigorous temperament than is possible under the crushing heat of a tropical sun. *In proportion as man acquired the art of creating a climate of his own* he became enabled to live in a more bracing air, and so we find modern civilisation creeping North and West.

It might seem—indeed it may be said that it has seemed—to students of this subject as though we were witnessing here one of the race-migrations with which palaeontologists are familiar ; but a very small effort of attention will distinguish an essential difference between this migration of man and all other migrations that have ever taken place in the kingdom of life. For whereas the latter migrations have been from a less to a more favourable natural environment, this one has been from a more favourable to a less ; and while in

these other migrations the race yielded to environment, in this one man has by *intelligent* effort resisted and overcome it.

Nor is the method employed by man to adapt himself to a less favourable environment in any way similar to the method of Nature in similar cases. On the contrary, it is diametrically opposed to hers ; for she proceeds upon the plan of adapting function to environment, and Nature-worshipping philosophers delight in pointing out that a similar adaptation takes place in man. Let us see how far this is true in regard to climate. Nature, in conformity with the usual course, modifies the skin so as to make of it a protection against the heat of the tropics and a protection of a totally different kind against the cold of the Arctic regions. Thus the elephant, in becoming adapted to the cold of northern Siberia, put on a woolly coat ; whales develop a coat of blubber ; and the few terrestrial animals that live in these regions are all furnished with a rich covering of fur ; but man, on the contrary, strips himself of all such covering, preferring to depend upon his own ability to clothe himself with the fur of other animals, and thereby emancipate himself from the tutelage of the beneficent nymphs and genii, as well as from the cruelty of Chronos. And man is infinitely more successful in his efforts by art to replace adaptation of function than Nature is in her clumsy attempts by adaptation to dispense with art. For although the record of Nature's failures is a negative one, it is no less convincing ; the lifelessness of the desert and the silence of the Poles tell a story that cannot be mistaken. We must not be deceived by Nature's trick of destroying her failures into the belief that she is never guilty of them. Sometimes, indeed, an extraordinary accident preserves a record of such a failure, as when the bodies of the woolly elephant were

preserved in an ice-cliff, although extinct many thousands of years ; but such accidents must, by the very nature of things, be extremely rare. We may, to some extent, judge of her failures in one district by her successes in another ; the teeming forests of tropical river banks speak loudly enough of the fertility of Rhea to enable us to judge of the voracity of Chronos in the uplands, where the heat is dry. Whenever we study Nature at work alone, we are impressed with the wastefulness of her productiveness in a favourable environment, and the impotency of her efforts in an unfavourable one. Though Chronos may be in chains in the Caucasus, in Sahara and at the North Pole he is still king.

Very different is the story told by man. Within certain limits the very conditions which check the progress of the lower animals, increase his ; and it is to the stimulation of a climate which will permit of life only under the conditions of successful effort that man in great part owes his wonderful development. It is true that there are limits to the working of this principle, and that neither the Equator nor the Arctic zone furnish suitable environments for the present stage of human progress. But the principle nevertheless remains true, that it is by *resisting* the environment that man has attained those qualities of mind and heart which differentiate him from other animals, and not by yielding to it ; and that man progresses on the principle of resistance, and not on that of adaptation. Evolution produced the ape ; effort has produced man.

Again, the process employed by man in resisting Nature deserves notice. It has been already suggested that man's faculty of transforming the material furnished to him by Nature lifts him into a position superior to Nature, so that he seems almost to create, although of course he really does no more than transform. The pro-

cess by which man enables himself to live, notwithstanding the rigour of winter, is an example of this power of quasi-creation. He does not modify himself to suit the environment, as other animals do ; he modifies the environment to suit him. In other words, he creates a temperature by his control over coal, wood, steam, heat, electricity, sulphur, phosphorus, and all the other materials which enter into a heating apparatus. Now, the greater his knowledge and intelligence, the greater his control over these materials and his powers of transforming them ; and if to this increasing knowledge and intelligence there is added an increased willingness amongst men to co-operate with one another, there is possibly no limit to his control over climate. As some author has suggested, there is no reason why the streets of a city should not be protected against the snows of winter and the heat of summer ; why, with a perfect system of ventilation, the hot air which enters the streets should not be cooled, and the cool air heated ; why, indeed, a proper use of hygroscopic substances should not deprive the air of excessive humidity, or evaporating tanks supply it with the moisture it may lack.¹ All these things are possible to man ; but they are not probable under existing conditions. They require an expenditure of money without return or profit, except for that part of the community which is unable to pay for it. The wealthy, who are able to pay for it, can, at a much smaller expenditure, protect themselves from extremes of climate without extending this protection to the multitude. It is not likely, therefore, that such a scheme could be so much as taken into consideration in any but a collectivist State ; nor is it at all certain that it would benefit the community that undertook it, even

¹ Such a system has actually been introduced in cotton factories, to the advantage of the cotton and to the detriment of health.

though successful in the highest degree. For climate, though almost powerless to exercise selection upon the rich, is still selecting among the poor ; and the question whether the race can dispense with this selection is still unsolved. Nor is this the context in which this question can be usefully discussed. It is referred to here only in order to avoid an omission that might be criticised in an effort to bring home how immense is the control which man has over climate, should he be bent on exercising it.

What, then, is the conclusion to which we are driven by a study of the question how far natural selection by climate operates on man, and to what degree this natural selection by climate differs in its operation upon man from its operation on lower animals ? Clearly the environment exercised its selection on man by climate, until man by art became capable of resisting it. When man became able to create a climate of his own he ceased to be a slave to the environment, and became through intelligence its master ; from that moment the process of evolution became to that extent not only annulled but reversed, for, instead of undergoing the evolutional process which adapted function to environment, man proceeded by art to adapt the environment to function. Art thus becomes the reverse of evolution : while evolution would increase hair on the human body in order to adapt it to a more rigorous winter, art, by creating a summer of its own, destroys the function of hair, and substitutes for the chimpanzee the Hermes of Praxiteles. In a word, the environment no longer moulds man ; man moulds the environment.

§ 5.—Struggle for Life between Man and the Lower Animals

Let us next turn our attention to the question how far environment exerts natural selection on man by the

process of competition, or by the destruction of one individual by another of the same or of different races ; and let us begin by considering the case of different races.

The most impressive action of natural selection is that which operates by the destruction of weak by strong animals in search of food ; and the most obvious fact in connection with this so-called predatory system is that civilised man seems to have protected himself from it altogether.¹ From this fact the conclusion is generally drawn that natural selection, in so far as it consists in the destruction of the weaker individuals of mankind by other animals, does not operate on man at all. Modern science, however, brings ample testimony to the fact that this conclusion would be altogether wrong ; for although civilised man does indeed, thanks to his own efforts, enjoy practically absolute immunity from the attacks of large beasts of prey, he still falls a victim to those smaller organisms which, because they are too minute to be observed by the naked eye, have until quite lately escaped observation altogether. Under the name of disease, the bacilli of consumption, syphilis, leprosy, diphtheria, measles, scarlet-fever, whooping-cough, erysipelas, typhoid, typhus, smallpox, tetanus, and perhaps cancer, have been feasting on humanity and including man among the victims of Nature's slaughter-house. He has flattered himself that he has triumphed over the monarchs of the jungle, and yet he was all the time the victim of creatures too minute for human sight.

Now that medical science has distinguished these microscopic enemies, it is daily making progress in the art of destroying them, and it is possible that man will soon enjoy as complete immunity from them as from his

¹ An exception should perhaps be made in India, where snakes are known still to destroy thousands of human beings annually.

larger foes. Then all destruction of the predatory kind will have come to an end, and man will die only of old age, vice, and degeneration ; the determining element or selecting agent being, not the environment of Nature, but the artificial environment which he will by that time have made for himself.

It is impossible at this time to prophesy just what this artificial environment will at that time be, and it is only a little less difficult to describe with any accuracy what the artificial environment to-day is. We are at this present time in a stage of progress in knowledge of every description so swift that what seems true one hour is found to be false the next ; and yet, notwithstanding the danger of dogmatising on any subject concerning which our knowledge is increasing so rapidly as medical science, there are perhaps some conclusions sufficiently uncontradicted to permit of our adopting them without much misgiving, though they must be regarded as provisional only.

Many of the bacilli which are (if not artificially resisted) fatal to individuals of our race are friendly to the race itself ; that is to say, the bacilli of consumption and leprosy, attacking as they do only weak types, by destroying them before they can breed, tend to prevent the perpetuation of these types and thus to improve the race—or, perhaps more correctly, to prevent its degeneration. And while the bacilli of consumption and leprosy are the most notable of those which attack the weak rather than the strong, it is almost certain that most of the other bacilli tend to do the same work, thus constituting a host of selecting influences which, however fatal to the individual, tend to promote the advancement of the race. The progress of medical science in its war upon these bacilli is attended, however, by a curious compensation, for during the period between 1858 and 1860

the deaths per million in England arising from micro-organisms averaged 7707·9, whereas between 1886 and 1890 they averaged only 4739·2. On the other hand, the deaths from constitutional diseases increased during the same periods from 6056·3 to 7929·4.¹ The story told by these figures seems to be that, while medical science may lengthen the life of types which would otherwise fall a prey to microbes at an early age, individuals of this type remain doomed to perish by the very constitutional weakness that exposes them to microbe diseases. A comparison of death rate in the young and death rate in the old during the same period confirms this theory,² and the inference is clear that modern science has done but little for consumptives except, by somewhat lengthening their lives, *to permit them to breed and perpetuate their type*. When we take into consideration that consumptives are generally of attractive appearance (until the disease has made sensible progress), and that they are remarkably fertile,³ it will be appreciated how small a service science, in its concern for the individual, has in this respect rendered the race.

Again, there are bacilli, mention of which must not be omitted in this connection, which attack healthy blood and healthy issue—namely, the bacilli of syphilis. Haycroft says :⁴ ‘It attacks the strong as well as the weak, and if the weak more readily succumb, yet the strong and vigorous are more apt to acquire it.’

The bacillus of syphilis differs from other bacilli in the fact that it is not only an enemy of the individual but an enemy of the race; for whereas the other known bacilli attack for the most part the weak, this one attacks the strong also; moreover, it is the only one

¹ Haycroft, *Darwinism and Race Progress*, p. 68.

² Haycroft, *ibid.* pp. 64-66.

³ Haycroft, *ibid.*

⁴ Haycroft, *ibid.* p. 53.

which so modifies the whole organism as to transmit a taint to offspring. For the heredity of consumption is a heredity of type; that of syphilis is of disease. Destroy entirely the microbe of consumption and deaths will not be much diminished; for, as has just been shown, individuals of this type will perish of some other pulmonary disease. But crush out syphilis, and an end will be put to all deaths; and not only to deaths, but to all the inherited misery which springs from this disease. The strong would be saved to the race, and their progeny would tend to be sound and beautiful.

And yet, notwithstanding the immediate advantage which would accrue to the race as well as the individual by the crushing out of syphilis, this is the one disease precautions against which man has resolutely refused to take; and this not so much because they are difficult, as because they are deemed to be immoral.¹ Here religion steps in to play her *rôle* in resisting the efforts which intelligence would otherwise make, in the one single instance in which intelligence would in benefiting the individual benefit also the race. Religion has succeeded in preventing such a benefit, sacrificing thereby both individual and race to what, for the lack of a better name, must be called a supernatural purpose or in defence of a supernatural principle.

But before leaving the subject how far the law of evolution operates on man so far as battle between different species is concerned, we must not lose sight of the fact that man is himself a new and powerful factor in the selection of those animals on which he preys; his intervention, indeed, is so considerable that he may almost be said to have replaced Nature in the character

¹ This must not be understood as an expression of opinion regarding the immorality of such precautions. We are dealing here with the fact that they are deemed to be immoral, not with the grounds upon which the opinion is founded.

of the selection exercised. It is no longer those types which are best fitted to the natural environment that survive, but those which furnish meat in greatest abundance and of the most succulent flavour to man. The result of human selection is that all the carnivora are disappearing except those which are serviceable to man—such as the dog, cat, and furred animals—and these are preserved by the care of man for his use.

Man has in this manner created an artificial environment and an artificial selection, the consequences of which to the animal and vegetable kingdoms have been too often described to need repetition here. One result, however, of this substitution of artificial for natural selection must not be overlooked. It has completely revolutionised the life of man; for whereas other carnivora spend practically all their time in the pursuit of food, and in the sleep of surfeit which results from the consumption of too much food after an exhausting chase, man has so contrived that the wealthy spend no time in the pursuit of food whatever, except in so far as such pursuit contributes to their pleasure, and they therefore have unlimited leisure for amusement and *ennui*. On the other hand, it is due to this system that some men are able to devote thought and time to the well-being of their neighbours and the improvement of the race; and such well-being and such improvement are only possible on the condition of a supply of food sufficient, constant, and furnished at regular intervals. The point therefore to be noted in this connection, then, is that man has, with an intelligence which has totally disregarded any so-called 'natural right' in lower animals, substituted himself for Nature in the work of selection; that this selection has served to destroy all carnivora not useful to man and to the careful sustenance of almost all herbivora which help him in his labours or

contribute to his table. And this substitution has made of the human race the most voracious of all the carnivora, and set the most feeble old man or the most delicate young girl far above the Asiatic lion in the amount of animal life which is slaughtered for their benefit.

§ 6.—*Struggle for Life between Man and Man*

(a) *In the same Community.*—Having given consideration to the question how far, or rather how little, man is subject to the law of evolution in so far as it exercises selection by battle between different species, we have next to study how far he is subject to this law in so far as it exercises selection by battle between individuals of the same species.

In savage species individuals are selected indirectly by superior skill in killing; the weaker types die of starvation or insufficient food, the stronger survive and perpetuate the race. In Christian civilisations it may be said that the struggle for life is so tempered that it just falls short of doing its work. There is a struggle of the bitterest kind, going on night and day, in every human community; but a Christian dispensation has ordered that it shall not be allowed to go to the point of death; and the victims of the struggle are picked up, as it were, at the brink of the grave and temporarily restored in institutions created for that purpose. The restoration, however, is only a temporary one; for as soon as there are sufficient signs of returning life the victim is hurled back into the mill, where, after having added for a brief space to the misery and the population of the world, he remains until new evidence of extinction of life fit him once more for the institution. So that a large part of humanity—Mr. Charles Booth tells us about one-fifth—is kept by a Christian civilisation very much in

the position of those martyrs who were only racked so long as a doctor decided life would bear it. Elaborate restoratives were provided by a Christian Inquisition to lengthen the period of martyrdom, and the moment the expiring heart showed signs of re-animation the victim was stretched upon the rack again.

However cruel this system may be, equalling if not excelling the cruelty of Nature, man is no more intentionally cruel than Nature is ; on the contrary, it is the horror of death bred from a spirit of mercy that sets Christians on rescuing the poor from the death which would under our existing social system be their best and only friend. In another place the wisdom or necessity of such a system will be discussed. At present we are engaged in studying facts ; and the fact which in this connection it is important for us to notice and retain is that, although man is submitted to a competition which condemns one-fifth to a life of anguish and the majority to one of excessive toil, he is nevertheless almost entirely withdrawn from that field of selection upon which Nature operates to improve the race, so far as competition with man in his own community is concerned. Here again, as before, the law of evolution ceases to operate on man. Not only is the natural environment superseded by an artificial environment created by man, but the types unfitted to this artificial environment are neither allowed to perish nor prevented from perpetuating themselves ; on the contrary, they not only perpetuate themselves but multiply, and they multiply far more rapidly than those types which the environment seems deliberately framed to favour. It is impossible to conceive of a more complete reversal of the process of natural evolution than this.

(b) *In different Communities.*—There is, however, some room for the action of the law of evolution in the

conflicts which take place between different communities, as distinguished from that between individuals of the same community. War undoubtedly does to-day still diminish the power of one community and correspondingly aggrandise its conqueror. But war between communities of men operates in a manner very different from that in which it operates in wars between communities of the lower animals. In these last the race is to the swift and the battle to the strong; whereas in human warfare, as conducted by civilised nations to-day, the big men are shot down and the small men survive, so that the Napoleonic wars are said to have permanently reduced the stature of Frenchmen. Selection by war may be said to operate in favour not of muscle but of nerve. Moreover, the whole tendency of civilisation is to reduce the likelihood of war and, wisely or unwisely, substitute therefor arbitration and diplomacy; witness the maintenance in Europe of the 'Unspeakable Turk'—massacres notwithstanding—and the arbitration treaty with England approved by a large majority of the United States Senate, though not by the necessary two-thirds.¹

And so natural selection by war is not only modified so as to produce a different survival from that which results from Nature's plan, but is tending to disappear altogether.

§ 7.—*Sexual Selection in Man*

But there is still another process of natural selection which we have to consider—namely, sexual selection. Now, it is impossible to hold that sexual selection operates upon man in a manner at all similar to that in which it operates upon lower animals. With the latter,

¹ Witness also the results of the Peace Conference at The Hague which has taken place since these pages were written.

in the battle for the female the stronger destroys the weaker or drives him from the field ; with man it is often the weaker who prevails. As we have somewhat too often perhaps had to repeat, evolution tends to adapt types to environment. If the environment changes, the type produced by it must change ; if therefore man creates an environment for himself other than that furnished by Nature, he will tend to conform to the artificial environment created by himself. In other words, the selection effected by the artificial environment will produce an artificial type. The operation of an artificial environment in modifying the character of selection as well as the result of it is probably nowhere so clearly shown as through the institution of marriage. Marriage owes as much to religion as to intelligence ; the development of love out of lust has been already described elsewhere,¹ and the blessedness of the result pointed out. Here, then, we need only refer to the effect of the institution on type.

Professor Giddings has shown convincingly² how a process of selection—not natural, as he seems to claim, but highly artificial—has caused the institution of marriage to survive less permanent and less exclusive sexual relations. But he seems to assume, though he does not directly do so, that this institution is destined still to survive ; that the environment is still favourable to survival, and that it has always been favourable to it. Is this assumption founded on fact ? On the contrary, during long periods of human history the environment was not favourable to marriage, and there are reasons for believing that we are approaching such a period now. It seems as though Herbert Spencer, and all his following in this connection, disregard the fact that man

¹ *Evolution and Effort*, chap. iv.

² *The Principles of Sociology*, pp. 414-416.

is himself perpetually modifying his environment, and that 'adaptation of function to environment'—this phrase is put in inverted commas because it is the stock formula of this very school—necessitates a perpetual modification of human type in its inevitable tendency to adapt itself to *human*—as opposed to *natural*—environment. Upon their own theory therefore, when the artificial environment is favourable to the survival of a noble type, a noble type survives; whereas, when it is favourable to the survival of a base type, a base type survives. Now, this process is admirably illustrated in the case of marriage. If we compare the institution of marriage in the early days of the Roman Republic—that is to say, during the period of advancing Roman civilisation—with the days of the Empire, when Roman civilisation had begun to decay, we cannot but be struck by the fact that in the former period the marriage bond was inviolable, and, although the Roman law permitted divorce, not a single divorce is recorded until that of Spurius Carvilius;¹ whereas in the latter period marriages diminished so much in number that, although every effort was made by the State to encourage them, all its efforts failed; immorality in its most repugnant forms flourished; and the sanctity of marriage, which had constituted the keystone of the social structure in the days of Cincinnatus, in those of Petronius served no purpose save to point a joke or connect a tale. Nor is the history of Rome different from that of other civilisations in this respect. When prosperity has advanced to a certain point, it corrupts the community, and the community so corrupted becomes a prey to a less enervated race; and although we have been confronted with this law all these centuries, many

¹ Plutarch's 'Numa Pompilius.' Plutarch gives the date of Spurius as A.U.C. 230, but the correct date is believed to be A.U.C. 520.

political philosophers maintain that evolution can still be trusted to do its work without the help or interference of man, regardless of the fact that it is the artificial environment created by man—and not natural evolution—that is responsible in this instance for decay. And the law has been too constant in its operation to escape observation or give rise to controversy. In the most brilliant days of Athens the example of Pericles and Aspasia doomed marriage to the contempt of cultured Athenians ; it was in the pomp of the Ptolemies that Alexandria reached its apogee of lasciviousness ; immorality marked the splendour of the court of Dandolo, of Louis XIV., and of Charles II.; and in recent centuries the question whether depravity was to undo a nation as in Rome, or revolutionise it as in England, depended upon the extent to which it had penetrated the homes of the people. In Rome it corrupted the people ; in England it aroused the people to revolt.

Now, the teachings of Herbert Spencer would lead us to look upon this law with ‘ philosophic calm ’;¹ to recognise ‘ how little can be done and yet to find it worth while to do that little ’;² to sit as spectators of the human tragedy, with the mercilessness that attends the comfort of a front seat at a gladiatorial show behind a well-built barricade. Civilisation must under this misconceived law of evolution proceed to corruption, and thus give an opportunity to a less corrupt community in blood and anguish to overcome it. What matter, says Herbert Spencer, so long as the sum-total is improvement? ‘ The more things improve,’ complains he, ‘ the louder become the exclamations about their badness.’³

It is surprising that a philosopher who has all his

¹ *The Study of Sociology*, 3rd edition, 1874, p. 403.

² *Introduction to a Plea for Liberty*, p. 1.

³ *Ibid.*

life been bringing home to us the lesson that we are the creatures of our environment should have failed to take into consideration the fact that, as we are making our own environment, we are not without some responsibility regarding the type that it creates. Had he considered a little this unfailing rule—that prosperity corrupts, and that civilisations perish thereof—in connection with the no less certain fact that it is we ourselves that make the corrupting environment, and no longer a beneficent or maleficent Nature—according as we regard her—he could not have consistently told us to leave the work of environment to her hands. We have wrested the making of environment out of the hands of Nature and taken it into our own; whom, then, are we to hold responsible for the adaptation of type thereto?

But let us rid our minds of controversy and look at the facts as they are: There is probably no animal passion which has been so uncompromising in its effects as sexual jealousy. Bull elk pasture together without quarrelling until the rutting season begins; then no one bull will tolerate the presence of a rival about his pasture. The fertile females in the hive live together in harmony until the nuptial flight; but the day which selects the queen bee dooms to death the rest of her sex. And if in such peaceful communities as those of insects sexual jealousy stops short of nothing less than the annihilation of unsuccessful rivals, we need not be surprised to find this passion playing a principal *rôle* in unfitting fierce carnivora for social life. When these last do unite, as when wolves driven by cold and hunger collect to hunt in packs, the association ends with the conditions which brought them about; as soon as the cold ceases, the pack disbands. Under these circumstances it is probable that sexual jealousy more than any other cause prevented our Miocene ancestors

from abandoning the solitary life which still characterises the anthropoid apes to-day ; and in the case of man it is not unlikely that the recognition of property of the male in the female preceded the recognition of property in land. For while land was abundant, there could be no eager pursuit for it ; the appetite for land being neither so fierce, so capricious, nor so ungovernable as that which is inspired by sexual desire. And the law of evolution doubtless contributed to create in communities of men some understanding regarding property in the female ; for it is clear that associations of men in which this understanding prevailed must overcome single families prevented from associating with one another on account of the absence of such understanding. We see this process going on in the history of the Jews. In the days of Abraham, when the family had not yet expanded to the tribe, the greatest blessing which God could bestow upon him was that his seed should multiply ; the larger the family, the better was it able to defend its wells of water from other pastoral communities. And this remained true long after the family had developed into the tribe, for David says : 'Blessed is he who has his quiver full of them ; for they will go down to meet the enemy at the gates.' So long as the police of a State is not thoroughly organised, the country settled, and law courts easily accessible, a large family is a blessing to those who live in sparsely inhabited districts. But no single family can in the long run defend itself against a community which, because the property of a man in his female is recognised and respected, permits of the association of many families for defence and attack. And so the single family was doomed to disappear before communities composed of many families ; that is to say, before communities that had learned to respect conjugal rights.

When we study the habits of lower animals and man, as regards the relation of the sexes, we cannot but be struck by the singular resemblance that exists amongst them. In the first place, there is no community existing without some arrangement as to sexual relations ; and, in the second place, there is hardly an arrangement between the sexes conceivable but it has been tried. Amongst the ruminants the strongest male is the only one that breeds ; no other male is tolerated, unless he consents to abstain. Perpetual battle is for ever testing the question of strength, and thus the strongest alone perpetuates himself. But the herd is the community which stands lowest in the social scale ; among the insects a much higher order of community prevails. And while polygamy characterises the ruminant community, polyandry characterises that of the ants and the bees ; and just as the victorious bull tolerates no invasion of his rights, so also among bees is the female equally jealous of hers. She pursues, however, a somewhat different plan ; for whereas the bull stops short of death for his adversary, the queen bee is content with nothing less for hers. In solitary animals we observe something like the family relation of a quasi-monogamous character that exists in man ; but this quasi-monogamy is of short duration, and due to necessity rather than to choice. In domesticated carnivora, such as cats and dogs, promiscuousness of intercourse seems to be the rule. And so we observe in the animal kingdom all the sexual conditions save one observable in man : family life among the carnivora—due to the solitary life to which their ferocity commits them—degenerating into promiscuity when, through education by man, solitude is no longer a necessity to them ; but in animals that live in communities polygamy in some, polyandry in others, natural selection being exercised by a ruthless

sacrifice of the less fit, and fitness being determined by the environment.

One solution of the sexual problem alone seems peculiar to man, for man alone has been able to combine monogamy with a permanent social life. This fact is so important that it deserves a few moments' special consideration.

In the first place, monogamy, strictly so called, is peculiar to man; for animals who live in isolated families, such as the solitary carnivora, are not, strictly speaking, monogamous. They are monogynous; that is to say, the males live with one female *at a time*. Monogamy includes the idea of fidelity of the male to the same female throughout life; this is practically unknown in any race but man.

In the second place, the monogyny practised by the solitary carnivora involves no self-restraint; on the contrary, it is the ungovernableness of sexual jealousy that commits them not only to monogyny but to solitude. And solitude removes temptation to infidelity.

In the third place, a study of the highest orders of community life, such as those of ants and bees, seems to show that the most permanent associations could only survive on the condition of eliminating sexual jealousy by destroying one sex altogether. This point is dwelt on at greater length later on. Suffice it to say here that after the impregnation of the queen bee a hive consists exclusively of females—the impregnated queen and the sterile workers. The same is true of ants, except that in the same ants' nest there are generally more than one impregnated female. In both, the male sex is massacred or otherwise eliminated immediately after impregnation.

These three considerations lead to the conclusion that monogamy, strictly so called—that is to say, the

permanent fidelity of the male to the same female—is not known in animal life outside of man ; and that even if it were, sexual jealousy would make it impossible in permanent communities.

And the reason of this is obvious ; monogamy, especially when practised in a permanent community, involves self-restraint ; and the capacity for self-restraint is the quality which more than all others distinguishes man from the lower animals. With the single exception of monogamy, however, the development of defined sexual relations does not seem to have differed in man and the lower animals. In existing savage races there is still maintained very much the same diversity as in the lower animals. Out of this diversity Professor Giddings has described the development by survival of monogamy.¹ ‘The later steps in the evolution of the family,’ says he, ‘show how inexorably the form of the family is determined at each step by the necessity of adaptation to complicated conditions.’ He then proceeds to explain how the offspring of permanent marriages, being likely to inherit the temperaments of their parents, would be capable of more persistent self-restraint than the issue of temporary sexual relations ; and that, as habits of self-restraint are essential to a high order of social life, individuals possessing them are more likely than individuals lacking them to create permanent communities of a high order ; and so there seems very naturally to have survived in human civilisation the institution of monogamy which characterises our leading nations of to-day. Thus, by the process of evolution as defined by Herbert Spencer and his school—that is, by adaptation of function to environment—the institution of permanent monogamous marriage has survived, and temporary relations or permanent

¹ *The Principles of Sociology*, pp. 414, 415.

polygamous and polyandrous marriages are found only in savage and disappearing races.

Undoubtedly this statement is correct if evolution is exhaustively defined to be adaptation of function to environment, but unfortunately—or perhaps fortunately—adaptation of function describes only part of the process of evolution ; there must be added to the adaptation of function in human evolution the ability of man to modify his environment, and the capital importance of these words becomes clear when we see the consequences of leaving them out, for Herbert Spencer has been led by so doing into the error of regarding the process of adaptation of function in man as identical with the same process in animals, whereas, as a matter of fact, it is essentially different ; indeed, it is diametrically opposed to it.

We have already seen this to be the case as regards selection by climate and by battle with other species ; we shall find it still to be the case as regards selection by marriage.

(a) *The Evolution of Self-restraint*

A study of selection by marriage suggests, more than any other part of this subject, the large rôle played in human evolution by self-restraint, and it may be well therefore here to point out briefly how largely self-restraint serves to distinguish human from natural evolution.

Upon no subject does the religious idealist find himself more widely at variance with the materialist than upon that of the evolution of self-restraint. The religious idealist is likely to ask whether it is not inconceivable to suppose that by any known process of *natural* evolution the lower animals could be brought to a sense of

the sacredness of marriage such as prevails in the highest of our civilisations to-day ; and whether it is not clear that man has been brought to his present attitude towards marriage, not by any *natural* process whatever, but by his own faculty to create an environment entirely different from that furnished by Nature, and under the impulse of a motive which, because it is not natural, he has learned to call *supernatural* or divine.

To the religious idealist the word 'divine' in the best sense is synonymous with the motive that is *not* natural and that has pushed man along the way of perfection ; and unless it can be shown that the word is wrongly used in this sense, the religious idealist will insist on its use in order to keep in view the perpetual contrast between the work done by Nature in man and that done by God. The words 'God,' 'divine,' 'supernatural,' are used by him, not necessarily to beg a religious postulate, but simply to describe a human fact ; that is to say, the fact that man is actuated by motives which, because they are conspicuously absent in Nature outside of him, must be allotted a name to distinguish them from those motives which he shares with other animals. There seems to him, therefore, no impropriety in describing all motives that man shares with the lower animals as natural, and those which are peculiar to himself as divine, man being thereby understood to share with animals those qualities which are recognised as natural, and to be distinguished by those which are designated supernatural. The force behind natural motives is in this philosophy personated as Nature ; the force behind supernatural motives as God.

In studying how far marriage is a product of natural evolution and how far a product of supernatural evolution the religious idealist insists upon a hiatus in our knowledge of evolution which scientific men in his mind pass over lightly. Reference has already been made to

our tendency to cloak ignorance with comprehensive words. One vast domain in the territory of biology which should be marked 'unknown' is, on the contrary, with complacency named 'variability.' As this very territory is the battle-ground of one of the most hotly disputed controversies in science, it is as well that we should appreciate just how little we know about it, and how anything approaching to assumption regarding it is likely to lead us astray.

The current account of variability may be stated thus:—No two puppies in a litter resemble either their parents or one another; they all vary slightly from the parent type; this tendency to vary is called 'variability.' Of the variations thus produced, the environment selects those best adapted to survive; the rest perish; the characteristics thus produced by variability are inherited. No one doubts the truth of this statement, but few seem to appreciate the abyss of ignorance which is herein covered, as it were like a pitfall, with the word 'variability.' For although a certain degree of variability is easy to understand—inasmuch as every child is the product, not of a single parent, but of two parents, who may differ much from one another—there is a variability which differs so widely from both parents and from all known ancestors that it does not seem easy to explain it upon the theory of inheritance. In the vegetable kingdom bud variations that differ widely from the parent stem have long been known by gardeners under the name of 'sports,' and the word 'sports' has lately been applied also to sudden variations in the animal kingdom. Now, it is difficult to account by inheritance for the variation which produced the peach out of the almond or the pointer out of the wolf. And in human history it seems equally difficult to explain the sudden appearance of holiness or genius in a family conspicuous for the absence of both.

Those who deny the divinity of Christ must be puzzled by the effort to explain Christ upon the doctrine of heredity.

One school fails to solve the problem of variability altogether on the ground that we have not facts enough to justify an answer. Lamarck, however, Herbert Spencer and his following answer that variability is in part due to the inheritance of acquired characteristics. Thus in deserts we find the camel putting cushions to the soles of his feet, and we are told this is due to a slow adaptation of function to environment, in which heredity plays an important rôle ; in countries where vegetation grows on high trees we find the giraffe elongating his neck and legs. On the Lamarckian hypothesis a continual stretching of the body in search of food in high trees produced an acquired length of neck and leg which by inheritance slowly increased.

Weissman denies on physiological grounds that acquired characteristics can be inherited, and maintains that natural selection is able to explain the survival of those best fitted to the environment without the necessity of assuming the inheritability of acquired traits.

If he is right in this contention he leaves the most essential part of the problem unsolved ; that is to say, the problem which underlies the word 'variability.'

Under these circumstances we cannot do otherwise than admit that the question of variability remains in part wrapped in obscurity, and that modern science has no option but to declare itself not sufficiently informed regarding it.

This point is insisted upon in this connection because, whenever we endeavour to apply the doctrine of evolution to the development of *moral* qualities in man, we find ourselves confronted by what seems to be a gap in this very region of variability which modern science

does not seem able altogether to explain. And this apparent gap is all the more surprising because it is a maxim of science (to which there are few exceptions) that 'Natura facit nihil per saltum': 'Nature does not proceed by bounds.' On the contrary, she generally proceeds by steps so short and so gradual that it is almost impossible to separate them. Now, the bound *apparently* taken by man is this: that whereas other animals are under a necessity to obey natural instincts, man seems to be capable of resisting them. No horse who is thirsty is capable of refusing himself the satisfaction of his thirst with a view to forming character; no bull elk in the rutting season is capable of refusing himself the satisfaction of his desire out of respect for the inviolability of a marriage vow.

Of one point, however, we must not lose sight: the intellectual gap which divides the most highly organised anthropoid ape from the South Sea islander is perhaps not so great as the moral gap which divides the South Sea islander from a law-abiding citizen of a civilised State. In other words, the moral gap which we are discussing does not lie between man and other animals, but between man and man; that is to say, between the savage and the saint. So that it seems necessary to conclude that the gap, if any, does not lie between the moral action of man and the non-moral action of animals. On the contrary, there seems to be strong reason for supposing that, were the record of our development complete, we would be able to read there the slow steps through which intelligence, uniting isolated families into social groups, slowly gave rise to the capacity of self-restraint. It is a mistake to suppose that animals show no evidence of capacity for self-restraint. The wolverine that refuses itself the gratification presented by meat on a baited trap is to that extent exercising self-restraint.

It seems as impossible to say when the capacity for self-restraint first appeared among conscious animals as to state when consciousness first appeared in living things. The contention therefore of the religious idealist that the capacity for self-restraint differentiates man from the lower animals does not seem well founded. Nor indeed does the contention seem necessary to the main principles of religious idealism. So long as human conduct can be shown to differ essentially from that of irresponsible animals, and to be capable of being influenced by higher motives than the gratification of animal passions, it does not seem material at what point in the animal scale this capacity for conduct first made its appearance.

On the other hand, the admission that self-restraint is not a distinguishing characteristic of man by no means involves an admission that human self-restraint is essentially the same as that observed in lower animals. There are differences of degree that seem to amount to difference of kind. The life which makes vegetables grow may in one sense be the same as that which makes man think, and yet we feel the need of a different word to describe the life of a Shakespeare from that which we use to describe the life of a cabbage. Upon these differences it is best not to enlarge here. It is sufficient to point out that the self-restraint exercised by man has for effect to create an environment so different from the natural environment that in its reaction on man it tends to make him continually more and more different from what man was in the natural state. And this is the point where the idealist stands upon the surest ground, and where he differs most successfully from the materialist and the school of Herbert Spencer. The latter claims that in the struggle between communities of men, those in which co-operation was greatest necessarily overcame those in which it was less ; that self-restraint

was essential to co-operation ; and that therefore the communities in which self-restraint was greatest were those which survived. But he does not stop here : he seems to insist that this process is mechanical and practically beyond the reach of human effort ; that the process is still going on in obedience to an ' inexorable law ' ; and that we need not therefore be in any way concerned about the future of our race—for we are, as it were, doomed to perfection, whether we will or not, and we may therefore discharge our minds of anxiety and steep ourselves in ' philosophic calm. '

This argument, when we look away from its ' inexorable ' logic to the world about us and the men and women in it, becomes what might be called ' optimistic pessimism.' How far the world and its inhabitants fall short of perfection has been told too often to make it necessary to repeat it here ; and the gloom which results from a contemplation of the misery and injustice of humanity is only deepened when we are told that it complies with the law of Nature which will work out our salvation in its own way and is for the most part beyond the reach of human effort. But such a philosophy is as false as it is discouraging. Man has reached his present stage of social advancement, not in compliance with a law of Nature, but in compliance with a higher law ; and the question whether he is to advance or degenerate depends upon no law of Nature, but on himself ; for just as it has been shown that adaptation of function to environment has been determined in man not by the environment of Nature but by that created by man, so also can it now be shown that the moral qualities which are engaged in creating a moral environment are the result no longer of a Natural process, but of one that is human and, as the religious idealist would add, divine.

We here find ourselves on ground that has been a famous field of controversy ever since the beginning of the intellectual world. But we can adopt the same tactics here as elsewhere ; we can take so much of the doctrines of the opposing schools as is admitted by both sides and arrive at a working hypothesis the truth of which ought to be denied by none.

In studying the question whether the moral qualities of man have been the necessary results of an 'inexorable' law of Nature, or whether they are the product of a human process, we shall discover the convenience of having begun by defining exactly what is the meaning of the words 'Nature' and 'law of Nature.' We found that the only significance of these words consistent with the uses to which they are currently put is that 'Nature' includes everything in the world except the conscious effort of man, and particularly the effort which is engaged in resisting certain tendencies in Nature, and so transforming the material furnished by Nature as almost to deserve to be called creative. This is not an arbitrary or conventional definition, but on the contrary conforms to the inherent qualities of things, and particularly to the moral character, the high development of which differentiates man from other animals. For we find, wherever we look in the world, two essentially opposite elements : matter obeying so-called inexorable laws of Nature, and something other than matter which eludes these laws and sometimes baffles them ; this 'something other than matter' is called by religious people 'Spirit,' and that which resists Nature is called by them 'supernatural.' The objection to these words is that they connote much more than for our purpose they need ; for various creeds have attributed to them secondary meanings which have become almost inseparably connected with them. Unfortunately there are no

other words in the language that can take their place to which this objection does not attach ; so we find ourselves compelled either to coin new words that will sound barbarous to a fastidious ear or to use the ones we have, with the proviso that they shall not be understood to mean what they usually mean. Of these two disagreeable alternatives the latter seems the most likely to lead to confusion ; and so I shall ask to be allowed in future to use the word 'non-matter' for all that is not matter, and 'non-natural' for all that is not natural ; the words 'natural' and 'Nature' being used to include all there is in the world outside of the conscious effort of man.

The study of the application of the natural law of evolution to the human institution of marriage involves a study of the development of those qualities in man which contain an element of self-restraint ; because it is probable that in no respect has man been called upon to exercise more self-restraint than in this very connection ; and it is probable that there is no question which illustrates more clearly the difference between the natural law of evolution, and the law of evolution that is non-natural but human, than the one how man acquired the faculty of self-restraint. It has been already stated that we are here upon an ancient and still disputed battle-ground ; for it cannot be said that philosophers have as yet come to any conclusion between those who hold that man acquired the faculty of self-restraint by the exercise of freewill, and those who deny the existence of freewill altogether and maintain that man is the slave of the greater inclination. It would be a great misfortune were we to find our way toward an intelligent conception of government blocked by this never-ending controversy ; fortunately there is an escape for those who are willing to leave the discussion

of words to psychologists and ask only to be sure of the facts upon which the controversy rests.

There is no doubt but that, by giving a sufficiently large scope to the operation of variability and frankly confessing that we know little about the method in which it works, we can construct an account of the development of the moral qualities in man that will seem intelligible and consistent ; it will be a repetition of what has been already said regarding the tendency of function to adapt itself to environment—those communities in which the development of altruism, through variability and selection, permit of the highest order of co-operation necessarily prevailing over those communities in which co-operation is rendered difficult or impossible through the absence of this factor so indispensable to social life.

Wherever we look over the face of Nature outside of man we find animals engaged in the same pursuit : the preservation of life through the satisfaction of their animal needs of hunger, of thirst, and of sexual desire ; and we find an environment selecting for survival those who satisfy the needs most efficiently and destroying all the rest. Under this law the environment is for ever engaged in improving the organs of flight of the herbivora and sharpening the fangs of the pursuing carnivora. But when we turn to man we find conditions absolutely reversed. The herbivora are fenced and fattened so as to make meat succulent and flight impossible ; all competing carnivora are destroyed ; and man himself, professing a gospel of love and brotherhood —under the cloak of which a few are rendered wretched with surfeit, and the rest just sufficiently kept alive to prevent their perishing from want—is nevertheless entertaining dreams of bliss in another world, where the poor shall be happy and the rich burn in eternal

flame. But in this tragedy of inconsistency and anguish there nevertheless runs a thread of purpose toward a reign of happiness in this world, for which men and women are daily striving, and in witness of which they have many times laid down their lives. Nor have their efforts and martyrdom proved vain ; Mr. Herbert Spencer grows irritable when he describes how successful they have been. Improvement—very slow, it is true, and not very sure, but improvement nevertheless—has marked the movement of civilisation, particularly of late years ; and what improvement has taken place seems always to proceed in the same direction : that is to say, away from the conditions of Nature, which cause the weak to perish, and nearer to that non-natural and essentially human standard of survival and happiness for the weak as well as the strong. The process and the motive which keeps the process going, are also characteristically different from those of Nature. Not by yielding to natural desire, but by resisting it ; not by destroying the weak, but by helping them ; not by favouring the strong, but by subjugating them, does the human *Zeitgeist* advance. Now, is there no essential, perceptible difference between the process of natural evolution and that of human evolution which can explain this amazing difference ? I think there is ; and I think every page that has preceded this one must have pointed to it. The kingdom of Nature is governed by the law of evolution ; the kingdom of man by the law of effort ; and effort is best exercised through the faculty which man has developed of resisting certain tendencies in Nature, and creating an environment not only different from, but opposed to, that furnished by Nature alone.

Man has, therefore, profoundly modified the natural law of evolution ; and he has done so not only by so transforming the environment as to make it in many

respects directly the opposite of what it would otherwise have been, but he has also exerted a more direct effort upon himself by moulding character. For under the tedious operation of the law of evolution man's character could be modified only by the slow extinction of all those types which were not adapted to the artificial environment created by himself, whereas by the direct application of human effort to human temperament a wilful child can be converted into a docile citizen. And this is achieved by two processes. The first, in order of time, is education of the child by the parent; the second is education of the adult by himself. Now, in the second of these processes it matters little whether the adult proceeds upon this work of self-education in compliance with a greater inclination which he cannot at any given moment control, or whether in compliance with a greater inclination which he by effort has gradually created. The essential fact is that the making of this greater inclination is the result of education; that man is by education master of it; and that it largely depends upon his own effort whether or not this inclination will set him upon a life of godliness or upon a career of crime.

Now, if we return to the natural law of evolution it will be difficult to find very much left of it in the making of man. The selecting effect of the natural environment is, as it were, cropped short at both ends. On the one hand, the environment is no longer that of Nature, but a product of human art; on the other hand, it no longer selects—for selection involves the survival of the few fit and the destruction of the many unfit, whereas human civilisation prevents the destruction of the unfit. And so it might almost be said of natural selection in its application to man that it is not natural, and that it does not select; what, then, is there left of it at all?

And yet it would be in the highest degree misleading to infer that selection is no longer taking place in mankind. Our contention is that the selection is not what is known as 'natural selection,' but that, on the contrary, it is non-natural or artificial ; that therefore the doleful conclusions of Weissman and others, that are based on the theory that man is still a victim of natural selection, are not applicable to man ; nor yet the optimistic pessimism of Herbert Spencer that man is its irresponsible and necessary product. On the contrary, the question whether man is to advance or degenerate is practically now in his own hands, both by virtue of the environment he creates for himself, the character of the selection which this artificial environment effects, and, above all, by its direct influence on himself and his fellow-creatures through the control he has acquired over his natural propensities ; the knowledge he has gained of the forces for good and evil which surround him ; and the wisdom to which through self-knowledge and self-restraint he may ultimately attain. And if, as a matter of fact, many of those philosophers who have falsely applied to man the 'inexorable' law of evolution are also found to be the same as those who have supported the doctrine that the State is an organism which must be allowed to grow, and must not therefore be interfered with, have argued in favour of *laissez faire* ; have deprecated and derided the efforts of Labour to protect itself against the dictates of Capital ; have clamoured for Individualism—or, as they call it, 'Liberty'—against those who desire to push humanity to a higher development of the social state ; and in conformity with all these doctrines have concluded that, because natural selection was advancing man along the way of salvation so fast that no effort of his could accelerate or retard it, therefore every attempt

so to do by enlarging the power of the State was an error, and even a crime—if these men are wrong at the very outset of their argument, is it not well that we should revise the political conclusions to which they have come?

It may seem as though we have wandered far from the subject of our chapter, and yet we have done no more than push to its legitimate conclusion the argument drawn from a correct application of evolution to marriage; and in now returning to it we shall not only be able to close this part of the subject, but advance the general argument one step further.

(b) *Marriage*

Of all institutions, that of marriage brings most into prominence the essentially human faculty of self-restraint; for whereas community life tends to diminish the opportunity for conflict in the satisfaction of hunger by increasing the supply of food, it tends to increase the opportunity of conflict for the female by compelling a propinquity between the sexes which in the solitary state would be avoided. Community life therefore is impossible without some solution of this problem. We have seen that animals and savage races have various methods for solving it which do not involve self-restraint; we have seen that civilised man alone has adopted a solution that does involve it. Now, the problem of self-restraint is the problem of self-government, and lies therefore at the threshold of all political inquiry. It was therefore impossible, and even if possible would have been unwise, to refrain from pointing at once to the error which lies at the foundation of all philosophies based on an application to man of a biological process that has in great part ceased to apply to him.

If we now turn our attention once more to marriage,

we shall have an opportunity of considering one phase at least of the artificial selection which has taken the place of evolution in human society. In the first place, it is obvious that it is not the most powerful who perpetuate themselves in the race ; indeed, it is doubtful whether women to-day much admire strength in men, or, if they do admire it, whether it counts much in their selection. For it is to be noted that in this nineteenth century the women have as much to say in the matter of sexual selection as the men ; and just as in women there is to be found every variety of temperament, so do we find that they are guided in their selection of husbands by every variety of inclination. Wealth will attract the ambitious ; delicacy will attract the sentimental ; and in every-day life we are amazed to find silly women marrying intelligent men, and intelligent women the wives of fools. He would be a rash man who would attempt to lay down in this connection any rule but this : there is none. Nevertheless, it may be said that while there is no rule, there can be traced general tendencies ; for example, there is a general tendency for selfish women to marry millionaires, and therefore the capitalist class is not as likely to become philanthropical through the influence of its women as it would otherwise be ; again, the very poor are likely to marry the very poor, and thus increase the army of the poor ; and as rich people are notoriously infertile, whereas poor people are notoriously the reverse, it may be said that such selection as there is seems to be exercised so as to increase the concentration of wealth in a few on the one hand, and the number of the poor on the other. The race is therefore being kept alive by the pauper multitude rather than by the cultured few. This, of course, is the reverse of what takes place under the operation of natural selection in a progressing race, and

is regarded by many as proof of certain degeneracy. On the other hand, Galton's researches¹ show in certain classes—as, for example, among the ranks of English judges—a tendency to transmit faculty to offspring, and although it may be said that this is a class which has already passed through an ordeal of selection, and therefore not one that furnishes the best ground for argument, it is probable that, although the race suffers by the alliances of the very rich and the very poor, there is a sufficient fraction of the race engaged in breeding true to save us for some time to come from the fate of degenerates. But this subject is rather foreign to our present line of argument, which is mainly engaged in contrasting natural selection with non-natural or human selection, and our purpose is in great part satisfied if we have shown that there is but little common to both.

In the first place, monogamy involves self-restraint; it has survived all other sexual institutions in progressing civilisations, because it has tended towards the development of a type capable of self-restraint. From this point of view, monogamy has been a blessing to the race. There are, however, features in our social system which have made monogamy a curse to a vast portion of the individuals of the race, and indirectly therefore to the race itself.

In the second place, education has not specially prepared youth for marriage. *Knowledge* is taught in our schools, but the teaching of *morality* is in the main relegated to parents and priests. Now, the education a boy gets at home is a matter of accident; it is questionable whether parents have as yet, to any general extent, appreciated the responsibility that lies upon them to teach their children morality. The secularisation of our schools, due to decreasing faith in existing

¹ *Hereditary Genius*.

religious creeds and in many countries to the separation of Church from State, has taken place so gradually that parents hardly as yet appreciate how little morality is now taught by the majority of them. And the influence of the Church has so diminished in consequence of too close an adherence to matters theological that the life of our youth is becoming more and more estranged from religious teaching. The inevitable consequence of this is that marriage is no longer the religious sacrament it once was ; and even in the Roman Catholic Church it is probable that the Mass celebrated at the ceremony has retained for but very few its sacramental significance. If we go out into the world at large to seek what are the motives that lead to marriage, we find two opposite views—sometimes carried out in their most violent extremes, and often blended in every kind of proportion. One view, which we may call the Latin view, is that marriage is a financial partnership in which personal inclination has but little to do ; the other, which we may call the Anglo-Saxon view, is that marriage should be determined by personal inclination alone, and that self-respect demands that questions of interest should be eliminated from it altogether. The former is the fruit of the industrial system which tends to make all happiness depend on wealth ; the latter is the reaction against the industrial theory on the part of a sentiment which tends to regard wealth with scorn. Both in their action and reaction are the necessary effects of an education which has come into existence of *itself*, and without the regulation of intelligence or of high standards of morality. Now, because of these two views one seems sordid and the other the reverse of sordid, the latter has become converted into a sort of religion, so that young people who contract imprudent marriages out of inclination alone often meet with the

approval of noble-minded persons, without regard to the fact that if the marriage be imprudent it is in one sense as immoral a surrender to inclination as those *marriages de convenance* which they despise. And so it happens that, through the estrangement of practical life from the Church, marriage is not the school for self-restraint which it might otherwise be, but tends to be either a surrender to love in violation of prudence, or a surrender to prudence in violation of love.

There is probably no conscious act in a man's life that involves happiness both for himself and for others so much as the act of marriage, and yet it is probably the one which education has most neglected. This is not pointed out by way of complaint, or because it is deemed possible immediately to correct it. Were we discussing education, we should have here to direct attention to the fact that the effect of allowing evolution or *laissez faire* to operate upon education has been to take from it its most important function—the teaching of morality; but at this time no more will be attempted than to point out the effect of non-moral education on marriage as a *fact* which cannot be disregarded in summing up the effect of the institution on the race. It is conceivable that our youth could be taught that marriage involves more than the satisfaction of a particular sexual caprice, and that a tumult of passion is perhaps more an argument against marriage than in favour of it; that marriage commits husband and wife to a long career of mutual concession and self-restraint; that such a career is possible to persons adapted to one another, whereas it must result in sorrow and even tragedy for those who are not so adapted; and, lastly, that sexual attractiveness tends rather to misdirect than to wisely determine so permanent a relation. The fact that these ideas are not

taught, and do not prevail amongst the masses, deprives marriage of what might be its greatest service to the race ; for men, in ignorance of them, are led by combinations of impulse and opportunity into ill-assorted marriages, so that natural prostitutes sometimes become wives and mothers, whereas women who would adorn a home are by similar accidents reduced to a degrading prostitution.

Next to want of knowledge in our youth as to what marriage involves comes in importance among the effects of our artificial environment the preponderating effect of wealth in satisfying human wants. In the proper place this will have to be further insisted upon ; in this context it need only be sufficiently indicated to point out how artificially it operates on marriage and consequently on the type produced. Galton has pointed out how primogeniture—one of the devices of wealth to keep wealth in the same family throughout successive generations—has succeeded in producing the direct effect sought for a time, but has indirectly destroyed that effect by destroying the family for which the wealth was so jealously guarded ; for eldest sons, desirous of increasing their estates, have married heiresses, who were heiresses because they were of infertile stock, and tended therefore themselves to be infertile ; whereas younger sons, being without fortunes themselves, were put to the option of either marrying similar infertile heiresses or not marrying at all. And so, although the wealthy seek by artificial institutions to create a wealthy class, they are hoist by their own petard, and their very devices become engines for their destruction.

But this does not prevent the desire for wealth—nay, the absolute necessity of wealth—from creating an artificial environment which by selection creates a type

that tends to become more and more sordid in the desire for wealth, and to measure human affairs by the one standard of money.

If this selection be taken in connection with absence of a counterbalancing education, the demoralising tendency of our present wealth standard for all things, including marriage, will become obvious.

But perhaps the greatest evil that attends monogamy in our civilisation is the price we pay for it—prostitution.

Unfortunately those who are most earnestly engaged in the effort to improve human conditions are often least fitted to understand or deal with this implacable evil ; neither their temperament nor their environment fit them for such a work. To the curate, whose physical wants are generally provided for, and whose selection of the spiritual calling probably indicates a comparative immunity from the lusts of the flesh, fornication is likely to appear to be a sin very like other sins, and he does not pause to ask himself in what, if at all, it differs from them. But to the physician and biologist it presents itself in a less confusing light ; to him decay in a race is first indicated by a torpor or derangement of the generative organs, and to him an irrepressible and healthy activity of these organs is a certain sign of vitality for the race as well as for the individual. It would not be likely to occur to a curate that if the temptation to fornication were not irresistible, the human race would already have started upon the road to extinction, or that the committing of this sin was but a tribute paid to the most uncontrollable and salutary impulses that Nature has put into the body of man.

This must not be misunderstood to be an apology for fornication ; on the contrary, it cannot be too much insisted upon that the law of association imposes upon

all subject to it the necessity of self-restraint, and that there is perhaps no opportunity for self-restraint which it is so important to cultivate as in this connection. On the other hand, human nature has shown itself heretofore weak in resisting this particular temptation, and it would perhaps be a dangerous thing for the race were the generative organs so torpid as to make resistance to it easy. But the point most to be remembered in connection with this subject is that the social conditions under which we live are such as to render resistance to this particular temptation difficult. For they put obstacles in the way of marriage at the age when marriage is most imperiously demanded by Nature ; they furnish stimulants, alcoholic and other, which peculiarly inflame the very organs which morality would keep inactive ; and they put the sexes in the most continual propinquity ; for most of the amusements of a large town are shared by both sexes and stimulate the sexual provocation that it should, on the contrary, be the special care of intelligently contrived amusement to avoid. Indeed, it would be no exaggeration to say that every waking hour of a youth's life in populous places, not actually engaged in toil, is occupied in a manner consciously or unconsciously to stimulate the organs which morality requires him to keep in restraint.

The artificial environment created by man, then, so far as the relation of the sexes is concerned, puts formidable obstacles in the way of the legitimate operation of those functions without whose operation the perpetuation of the race must come to an end, and condemns a large part of the race to a perpetual stimulation of those very functions the operation of which morality forbids.

Again let it be repeated, these facts are not submitted as matters of complaint, but as facts which every

political student must see—and must see clearly—if he is to come to any conclusions regarding the effect of human institutions on the race.

As to the horrors of prostitution I do not trust myself to speak. How it has become possible for so merciful a spirit as dwells in the women we respect to live in daily hatred and contempt for those of their sex whom some defect of temperament in themselves or the treachery of others has banished from the ranks of the *légitudes*, is one of those inconsistencies with which students of sociology must learn to become familiar. The manner in which these inconsistencies arise will be studied in a subsequent chapter; here they must be added to our collection of the facts that make up the heavy price we pay for the institution of marriage.

§ 8.—*Summary*

What, then, are the general conclusions to which we may come on this difficult subject?

In the first place, sexual relations are characterised by the fiercest jealousy, not only among carnivora, but also among the gentler herbivores. This jealousy commits carnivora to a solitary life and to temporary alliances which, under domestication, become promiscuous. It disrupts the herd during the rutting season among polygamous ruminants, and destroys the whole sex, save one favoured individual, in such polyandrous communities as ants and bees. Some of these results are found still existing in savage races of men.¹

¹ It may be pointed out here that the failure to take due account of sexual jealousy as an enemy to peace in social life is the capital error of such schemes for social improvement as that suggested by Mr. Bellamy. Wealth is not the only cause for human dissension, and even were it altogether eliminated there would still remain the other and possibly the worse.

Monogamy is distinguished from these by the fact that it is the fruit of self-restraint; and self-restraint is the quality a high degree of which differentiates man from the lower animals. The survival of monogamy characterises our progressing civilisation; and relaxation in the sanctity of the marriage relation has heretofore characterised every historical period in which prosperity was turning the corner towards decay. The result of experience is what on *a priori* grounds might be expected, for all association of a high order in which both sexes are allowed to survive involves self-restraint, and no association can survive the conflict with other associations unless it surpasses them in the development of this essential quality.

Monogamous marriage, then, seems not only to have attended social progress in the past, but to be essential to it in the future.

But it reverses the order of Nature.

For Nature sets animals upon the satisfaction of sexual passion at any cost, and dooms all but the most fit to celibacy or death, with the necessary result that the most fit alone perpetuate the race.

Marriage, on the contrary, in our existing social conditions sets up an environment so artificial and complex that it almost baffles description.

A certain amount of money-making power is *indispensable* to prudent marriage; a great deal of money always facilitates it. Money therefore seems to be the selecting agent of first importance, and thus creates an environment that is artificial in the highest degree. Personal attraction, which is a commanding motive for sexual relations in the natural state, becomes secondary to prudential motives on the one hand and moral motives on the other, marriage in an ideal society being a sacrament rather than a surrender. If, then, men

and women pause to consider before yielding to the marriage impulse, they will only marry when they are satisfied that they are mutually adapted to bear the ills of life, as well as to enjoy its pleasures. In such case the self-restraint attending marriage would be a benefit to the race. But defect of education, and perhaps also defect of temperament, make such sacramental marriages rare. Marriages therefore are often either a surrender to passion or a surrender to luxury, sometimes a surrender to both. While therefore marriage, properly understood, holds up a lofty ideal to man, under existing social conditions it tends to the production of a sordid type; and although civilisation sets up intelligence and morality as the desirable type, marriage tends to perpetuate neither the one nor the other. For, in the first place, the most educated are the least fertile, whereas the least educated are the most fertile; and, in the second place, we pay for marriage in the maintenance of a class of women whose lives are not only shadowed by disgrace but shortened by disease; it creates in the men who profit by this class a merciless unconcern for the misery they occasion, and a matchless hypocrisy as regards the sin to which they surrender; and last, but not least, it keeps alive in the breasts of the women we honour a cruel contempt for the victims of the system behind which they are themselves sheltered.

It is not necessary to insist on the extent to which man has reversed the process of Nature by the institution of marriage; it is too obvious to need further emphasis; but it is important to note that man does not always resist Nature with impunity. The cost of marriage to man in misery, disgrace, and immorality has been so great that some have been moved to doubt the wisdom of the institution altogether; but we are not discussing remedies now; we are discussing facts. It is obvious

that man, by interference with Nature's laws, has saved one class of victim, only to create another. As a remedy to this will the Nature-worshippers suggest a return to Nature? Or, as Professor Ritchie puts it, a return to a 'general scramble for nuts in the primeval forest'?¹ Or will Mr. Herbert Spencer recommend a compliance with natural law, which we have discovered to be in great part our enemy? Or shall we not say that if man has, by the exercise of intelligence and self-restraint, rescued one part of the race from a degrading 'scramble,' only to condemn another part of it to an equally degrading misery, it is to that same intelligence and to that same self-restraint that we must look for the rescue of this submerged part also?

In comparing human selection with natural selection one is reminded of a sinking ship, in which, under the latter law, the stronger only would survive, whereas under the former the stronger stand at arms, while the women and the children are helped into the boats. It is true that this plan sacrifices often our noblest and best; but there is a something within every man that rings back true to the story of an heroic deed, and finds a better result for man in a noble sacrifice than in an ignoble survival, however much the cost may add up in human life.

Now, if shipwreck had by its dangers broken down the courage of men, we should not to-day be committing ourselves to transatlantic steamers with as little apprehension as to street-cars. Fortunately shipwreck has only served to nerve man to new dangers and urge him to new discoveries; and in the course of that ceaseless search for new facts which has characterised this century, knowledge has dissipated many a blunder and uprooted many a prejudice: a fragment of

¹ Preface to *Darwinism*, p. vi

iron thrown into the water will sink ; a fragment of wood will float ; what more natural than the conclusion that ships must be built of wood and not of iron ? And yet to-day iron has driven wood out of our dockyards. And if it is impossible to tell what human ingenuity may not do to improve naval architecture, why should there not be as much hope for human institutions ? Both are the products of human effort in bending the material furnished by Nature to his use. If there is any hope for improvement it lies, then—not in the laws of Nature, which we are fighting, but in human effort, whose victory over Nature is nowhere better shown than in the self-restraint which has made marriage possible ; and if there is still room for improvement, we must look for it in this same self-restraint, the victories of which in the past are but an earnest of the victories still open to it in the years to come.

CHAPTER III

HUMAN CONTRASTED WITH NATURAL ENVIRONMENT

§ 1.—*Primary and Secondary, or National and International Environment*

We have seen that natural selection is no longer the only force operating on man, but that it is replaced in great part by an artificial selection due to his own conscious effort. It becomes now important to trace out just what this artificial selection is, and how much of Nature there is left in it. In other words, we have heretofore studied what human environment is *not*; now we have to study what it is.

The elements into which natural selection upon analysis resolves itself into are :

Variability.

A selecting environment.

Death of the unfit and survival of the fit.

Inheritability of variations selected by the environment.

Let us take the first two of these in turn, and study how potent they still may be in spite of man's intervention. And first, as regards variability, we should begin by admitting that it is difficult to lay down any positive rules regarding a matter upon which we know so little. It may be said, however, without fear of contradiction, that the human race is fortunately still gifted with

variability to an extraordinary degree. It should not be necessary to dwell at any length upon this fact. In the United States, more than in any other country in the world, is a large proportion of its citizens offered identically equal opportunities ; and out of these identical opportunities the vast majority make nothing, whereas a few make names that will live always : and between those who rise to the highest reputation and the mass that remain undistinguished altogether, there is every degree of inequality or variation. This is true of other countries, but in most of these the superiority of the few can often be traced to difference of opportunity ; whereas in our country it is those who have enjoyed least opportunity who often have risen highest. The inequality of man in our country, therefore, cannot be to any great extent attributed to differences of education and opportunity ; they can only be explained by differences in the capacities of men, differences with which they were born —that is to say, variation.

As regards the artificial environment, we must begin by recognising that man is a great bungler—almost as great as Nature herself ; but while Nature proceeds always upon the same plan, and always with the same weapon—favour to the fit and death to the unfit—man is for ever torn between opposite motives tending to opposite results. So that whereas the results of natural selection, given the nature of the environment, can always be pretty well foretold, the results of human selection—whether upon the individual or upon the race —are seldom predictable for any two successive generations. For man is perpetually engaged in making his own environment in accordance with what he believes to be his interests, and his beliefs on this subject depend upon three pairs of qualities : on the one hand, his knowledge and his morality, or the combination of

these which may conveniently be called wisdom ; on the other hand, his ignorance and immorality—or the combination of these which may be conveniently termed folly ; and, in the third place, upon the combination of knowledge and immorality which may conveniently be called craft, and which figures in social construction in various forms, such as ambition, egotism, or avarice. Now, the artificial environment created by every community of men for itself is the direct resultant of these three opposing forces—wisdom, folly, and craft. The fighting of folly and craft and the promoting of wisdom in the making of human environment is the art of government.

Although the art of government is the ultimate object of our inquiry, we must postpone the examination of it till we have settled the fundamental principles upon which the art is founded, and above all the question whether society is a product of art at all, or whether it is, as Herbert Spencer claims, an organism. Let us, then, continue the argument of the chapter as to the operation of evolution on human environment, in order to answer this question thoroughly before we enter upon the study of an art the very existence of which is denied by the leading writer on this subject of the age.

Every community that has risen above the stage of solitary family life has been obliged to regulate for itself certain fundamental matters, such as marriage, property, and leadership ; and the skill with which it has regulated these matters is perpetually put to the test by two forces, discord and conquest ; that is to say, the internal revolutionary force arising from discontent within the community, and the external invading forces arising from the general struggle for life to which human communities have been subject since the world began, and remain more or less subject to this day.

Now, external invading forces constitute a selecting environment which is much more similar in its nature and operation to natural environment than that which every community sets up for itself ; for here there is to be found once more the principle of the survival of the fittest and the destruction of the unfit, which we have seen man has in great part suppressed within each community. We must therefore distinguish in human development two different environments ; one exercising an artificial and limited selection upon the *individual*, and the other exercising a less artificial and less limited selection upon the *community*. An example will make this more clear : Every civilised man is part of a civilised State, which protects him from the operation of natural selection on the one hand, but subjects him to an artificial selection on the other ; the artificial selection exercised by the State creates a type which we readily recognise ; it contributes to make the similarity between Chinamen and the dissimilarity between the Chinaman and the Anglo-Saxon ; it contributes to make the similarity between Anglo-Saxons and the dissimilarity between the Anglo-Saxon and the Latin race.

This is what may be called the primary environment ; it is created by every community for itself ; it operates by favouring the fit and disfavouring without destroying the unfit, and it reacts upon the community by creating types which are differentiated by what we call national characteristics.

But these various communities or nations are themselves subject to selection by a secondary environment which operates more nearly upon the plan of natural selection than the primary ; for it subjects all these communities to a struggle for life in which the less fit are not only unfavoured, but destroyed, and the more fit not merely favoured but alone allowed to survive.

Thus have all the ancient nations disappeared; and among the sovereignties which existed at the beginning of the century some have been wiped out,¹ some have come into existence,² and some are already doomed to disappear. Nevertheless, although this secondary environment seems to operate more like Nature than the primary, it is nevertheless in large part a product of man, as a very little thought will persuade; for it is not created by natural forces, but by the communities themselves; it is not change of climate, or depression and elevation of land, or any of the other changes which we find operating in Nature to modify types; but, on the contrary, it is a new environment created by the communities themselves. For example, advance in the arts has probably done more to develop one race at the expense of another than any other cause; in evidence of this may be cited the subjugation of flint-using races by those using bronze; and, again, the subjugation of those using bronze by those using iron; and to-day, also, the advantage of one nation over another is largely that of superior weapons—as, for example, the superiority maintained in England by her incomparable fleet as well as by her art in using it. And as the perpetual improvement of weapons involves intelligence and wealth, it is probable that these two are of still more importance to a nation in battle with other nations than any other qualities. On the other hand, docility permitting of perfect drill is also indispensable; and as intelligence and docility are not always compatible, it is not the nation which has most intelligence or the one that has the most docility that always prevails, but the one that has these two combined in the most effectual proportion.

¹ Poland, Saxony, Bavaria, &c.

² Belgium, Italy, Roumania, Bulgaria.

Again, muscular strength and muscular development are no longer the qualities most to be desired in the soldier ; on the contrary, big men not only afford better marks to the enemy, but are found not to bear the fatigue of a campaign as well as small. So that not only are the qualities selected by our secondary environment different from those selected by Nature, but the secondary environment is essentially different from the natural in the fact that it is itself created by the characteristically human faculties for accumulating wealth and making arms.

In one respect, however, the secondary environment resembles the natural and differs from the primary. In the primary or national environment the individuals subject to it are governed by laws made by themselves, or by a fraction of themselves, and imposed upon all. These laws are framed in conformity with the ideas of justice entertained by those who made them, and enforced by courts of law, which have behind them the whole power of the State—the object of this system being to prevent the operation of the law of natural selection, under which the strong would always prevail and the weak always go to the wall ; whereas the secondary or international environment until lately followed the law of natural selection by submitting every controversy to the arbitrament of war. So that, while individuals were determined in their relations with one another by human law, nations were subjected to no law but that of natural selection, and to this law right is unknown ; might alone prevails. Lately, however, even this similarity between the international environment and natural environment has been greatly diminished. Nations now submit many of their controversies to arbitration, and abide by the results of such arbitration. A code of rules has been agreed to by them regarding

their relations to one another, which, although not enforceable by any court, are generally enforced by a sort of international public opinion, that grows stronger and stronger as civilisation advances ; so that there are some who entertain the hope that the gradual development of public international law and arbitration treaties will end in the abolition of war altogether. Then will end the last vestige of natural selection through the survival of men by battle with one another. But, until war comes to an end, we must recognise that to the extent to which war still exists or is possible, natural selection exists among nations, though in a modified form and in obedience to an environment created by man rather than to one furnished by Nature.

We must not close the subject of secondary or international environment without noticing its effect upon national morality. At first sight it would seem that so long as war is the only court before which national controversies can ultimately be brought, warlike qualities would be the ones favoured by the environment. This, however, is not altogether true. When two communities are hurled by war against one another they are tested in every function, and not in their warlike qualities alone. Thus, in the Franco-Prussian war France paid for the vices of the Empire, and a form of government which men thought to be peculiarly favourable to military organisation crumbled in consequence of other defects to which Empires are also prone. The army which surrendered to the Germans at Sedan was practically the same as that which had conquered the Slav in the Crimea and the Austrian in Italy. But when Napoleon III. left Paris to join his army, he left an enemy in his rear as formidable as that upon his frontier. This enemy was popular discontent ; and popular discontent, like a swelling river, profits by the

first line of weakness in its banks. Again, war is a continual test of the strength of a nation's organs of vitality, as well as of that of its power of defence ; and this is so well known by our rulers that the pressure of hostile neighbours has indirectly done perhaps more to promote justice in political institutions than any other single cause. Had the Patricians at Rome not stood in daily dread of the Sabines, they would never have yielded political rights to the Plebs on the Sacred Hill. Had John of England not been beaten by France at Bovines the Magna Charta would never have been signed at Runnymede ; and had John of France not been beaten by England at Poictiers, the Tiers Etat would never have wrested from him the rights granted to the Paris Parliament in 1856. It cannot be said, however, that war invariably produces improved internal conditions. On the contrary, war is an expedient habitually resorted to by despots in order to draw away the attention of the people from internal affairs ; and success in war is often therefore attended by loss of individual liberty for conquerors and conquered alike. Again, diplomacy—which is so often extolled as a substitute for war—is perhaps the most demoralising agent now in operation in Europe ; for diplomacy in the Cabinet replaces ruse in the field of battle ; and while deception or strategy is recognised as a legitimate part of warfare, when it is used in the making of a contract or treaty it is difficult to distinguish it from the immorality which we are taught by our spiritual pastors to eschew in private life. When we come to discuss government in its external relations we shall have occasion to observe in greater detail the contrast between the morality enjoined upon individuals in the same State in their relations with one another and that actually prevailing between States themselves. At present we must content ourselves with

noting that Bismarck, so long regarded as the incarnation of successful diplomacy, boasted of having forged telegrams to force war upon his peace-loving king, and of having persuaded Austria and Italy into an alliance against Russia when he already had a private treaty with Russia in his pocket ; that Beaconsfield, after having secured Cyprus by a similar act of deception, was hailed by a grateful country as one who had brought them ‘ Peace with honour ’ ; that Salisbury is to-day profiting by the occupation of Egypt under solemn pledges not to annex it, with the obvious, though still disavowed, intention to make it an integral part of the British Empire, at the cost of breaking the pledges so solemnly made ; that France, when she sent her armies to Tunis, did so upon similar pledges, and yet to-day has made Tunis as much part of her colonial system as Algiers ; and when we notice, in a word, that European diplomacy is neither more nor less than lying on a large scale, and that any less immoral system would be denounced as unpractical by the moral sense of European nations, we cannot but ask ourselves why individuals should respect morality with one another when they hold it up to scorn in their relations with neighbouring States.

And so the secondary or international environment offers the same confused tangle of results as almost every other selecting influence created or modified by man. The intervention of man has so confounded the effect of the environment that, while at one moment it seems to favour morality, at another it holds up morality to contempt ; while at one moment it favours improvement of type by killing off those too weak to support the privations of a campaign, at another it tends to impoverish the type by killing off the big men and favouring the survival of those of smaller stature. Of one thing alone at this stage of our inquiry can we be sure,

and this is : that the environment operating on man is not a natural, but a highly artificial one ; and that its operation seems sometimes to favour his improvement, and at others to lead to his degeneration.

Nor is the reason of this confusion far to seek. We are no longer dealing with Nature and her constant laws ; we are dealing with human beings and human laws, as diverse in their nature as they are inconstant in their effects. They are the result of the perpetual conflict between wisdom and folly and craft ; sometimes the one prevails and there is progress, sometimes the others and there is degeneration. Man has undertaken to drive out Nature—*tamen usque recurret*. He has also undertaken to live according to art—but *ars longa, vita brevis*.

We have already had occasion to study this question from the negative point of view ; that is to say, with a view to deciding what this artificial environment did not do, in order to contrast it with what the natural environment did ; and we saw that there was hardly an essential characteristic of natural selection that was left operating in civilised communities. For example, there is in these last practically nothing left of that survival of the fit so characteristic of natural selection, because there is little or no destruction of the unfit. Now, the environment created by man is so different from that produced by Nature that it seems impossible to compare them. Its most notable characteristics, however, are that the more a society is drilled, the more it seems to lose the variability which is indispensable to the operation of selection, whether by an artificial or a natural environment ; and that it tends to diminish the fertility of the ideal type, leaving the perpetuation of the race not to the ideal type towards which art seems consciously to be striving, but, on the contrary, to the type furthest removed therefrom.

In these respects art is operating in a direction opposed to that of Nature—very much to the disadvantage of the race.

In other respects, however, art is creating an environment favourable to the development of an ideal type; that is to say, of one increasing in intelligence and morality. This is being effected in part by the conscious effort perpetually engaged in improving institutions calculated to promote the welfare of the many as contrasted with that of the few; partly by the tendency of those institutions to survive which improve the qualities that promote social life, and the tendency of those institutions to decay which fail to promote social qualifications. Here is, perhaps, the province of human selection which most nearly resembles the operation of Nature; but, though the process is a natural one, the selecting agent is still non-natural or artificial; for the selecting agent or environment is in great part the work of man, and in any given community the direct result of the wisdom and folly in that community. So that in those communities which are wise—that is to say, in which intelligence and morality in just proportions prevail—there is progress; whereas in those in which ignorance and immorality prevail there is degeneration.

Now, as has been already pointed out, just how far it is Nature and how far it is art that is engaged in the making of our environment is not only an almost impossible question to answer for any given community, but, even if it were possible to answer, the answer must vary in every social group. Every man is born with a certain kind of temperament and intelligence, and he can acquire by education a certain amount of knowledge and attain a certain kind of character; temperament and intelligence are mainly the products of Nature, whereas knowledge and character are mainly the

products of art. Now, the amount of effort operating in any one group, and the usefulness of that effort in developing intelligence and temperament, and attaining knowledge and character, while it determines the environment, is at the same time the product of the environment ; so that it is no more possible to distinguish the one from the other than to say whether the stomach keeps the limbs alive or the limbs keep the stomach alive. They both keep the body alive. In the same way both Nature and art keep the community alive. But it is possible, in the confusion of forces that go to make a favourable environment in one sense and an unfavourable one in another, to pick out some of those which it is important for students of government to know ; and amongst them, perhaps the first in importance is the force that in great part replaces the survival of the fittest in our existing civilisation. This force is wealth.

For we have seen that those who fail in the struggle for life do not perish—they grow poor ; whereas success in the struggle is not rewarded by mere survival and self-perpetuation ; the successful do more than survive ; they grow rich ; and generally do not perpetuate themselves. On the contrary, wealthy families tend to disappear. So the prize in the lottery of civilisation is wealth ; the blank is poverty ; and, as in all lotteries, those who draw prizes are few, those who draw blanks many.

How far this state of things has been a necessary step in human development ; how far it still is necessary to it ; how far, if at all, it must always be necessary to it, are questions we are preparing to answer.

But in connection with the subject of this chapter—namely, to what extent man is the maker of his environment, and what principle replaces in human society

that of the survival of the fit in the animal kingdom—we must confine ourselves to considering the effect of wealth on type. This has been already incidentally done in connection with the subject of marriage; without therefore repeating the arguments there set forth, we shall here confine ourselves to repeating some of our conclusions and adding thereto such suggestions as may pertain to the context.

§ 2.—*Effect of Wealth on Type*

Wealth influences type first in the institution of marriage. In spite of the efforts of the wealthy to create institutions such as primogeniture for the purpose of keeping wealth in the same class, the wealthy tend to make marriages foredoomed to be infertile or to abstain from marriage altogether. The wealthy therefore generally fail to perpetuate themselves, and their influence upon type is not so much through heredity as by example. The very art or artificialness of wealthy environments checkmates the aim of art. The rich die without offspring, and their places are taken by individuals belonging to a less wealthy environment. On the other hand, the poor—following the instincts of Nature, and unchecked by prudence—breed with a prolixity that tends continually to aggravate their poverty. In this case Nature punishes man for his lack of art. Remove the prudence that is the very corner-stone of human civilisation, and Nature resumes the satisfaction of her sinister propensities; and it would seem as though while too much art rendered childless the homes of the rich, too little art crowded those of the poor. So the doom of the poor is to bewail that they have too many children, and that of the rich that they have too few.

The effect of this infertility of the rich and fertility

of the poor is to perpetuate an ignorant type, thus reversing the natural process of evolution, which, under favourable conditions, tends to perpetuate the higher and to kill off the lower type. It has been suggested that this degenerating tendency is in great part counterbalanced by the perpetuation of a good type through the careful marriages and sound education of the middle class, in which are to be found neither the very rich nor the very poor; and this is undoubtedly to a large extent true. But—and here comes a qualifying clause to which too much importance cannot be attached—the one necessary condition to careful marriages, to the maintenance of the middle class, and to the maintenance of the civilisation that rests upon the middle class, is wealth. Not great wealth, but enough wealth to secure the family from the horrors of pauperism, and enough perhaps to keep alive the hope of creeping ultimately into a higher social sphere. Terror of poverty—and a terror that is perfectly justified—on the one hand and social ambition on the other, or, in less specific terms, dislike of pain on the one hand and love of comfort on the other, exercise a perpetual influence upon us, whether when we wake or when we sleep, urging us to conduct that is determined by one over-mastering, uncompromising need—money.

So that while one class is driven by hopelessness to disregard money altogether—for the children of the poor are the offspring of despair—and while the only class that could afford to disregard money, on the contrary, defeats its own ends by the avidity with which it attempts by marriage to accumulate it, the middle class, which generally includes the best combination of mind and muscle in the community, is driven in its marriages to set before every other consideration the same unlovely standard—money.

The effect of this sordid consideration on the type is by no means confined to heredity ; indeed, the school of Weissman would deny that the character acquired by constant regard for wealth could be transmitted by heredity, except by a process too long to deserve attention. But though the degeneration of type occasioned by this predominating consideration for wealth may not be transmitted by heredity, it undoubtedly creates a type by education and example ; so that, whether we belong to the school of Weissman or Lamarck, we have to admit that either through heredity or selection the type will adapt itself to the environment, and if the environment sets up as its god the calf of gold the type will instinctively end in adopting this god, and the habits of the type will unconsciously become thereby modified, until at last no consideration other than that of wealth will have any practical importance for it.

How far this has already become the case is daily illustrated in our politics and our laws ; it has become notorious that misgovernment has generally been allowed to flourish without protest so long as it did not sensibly touch the pockets of the people ; and it has become a by-word amongst reformers that the only abuse that will certainly arouse citizens to action is one that exposes them to increased taxation.¹

¹ An important and encouraging exception to this rule is to be found in the overthrow of Tammany Hall in the New York elections of 1893 ; for this overthrow took place in spite of an apparently diminishing tax rate. It was a consequence of indignation aroused by abuses in the Police Department, the victims of which were the poor rather than the rich. It is a significant fact that efforts to arouse public opinion against Tammany misrule prior to the revelations regarding police mismanagement were met by the commercial argument that nothing could arouse public discontent but an abuse that affected the pocket. This is one of the reasons why the City Club, which was infected by this doctrine, proved unable to conduct the war against municipal misrule which it was organised to wage ; whereas Dr. Parkhurst, a Presbyterian clergyman totally without political experience, who, without regard for financial considerations or financial consequences, undertook upon purely moral grounds and single-

The rule of law which measures all damage, even that to outraged self-respect, in money, is another case in point. Whether it be a woman who has been seduced under promise of marriage, or a man whose reputation has been smirched by a lie, or a merchant who has lost profit through a failure to deliver his goods on time, to all alike the courts offer the same compensation—money.

And although many rich men are generous in their subscriptions to charities, how many of them have the courage to choose the course indicated by morality or self-respect if their entire fortune or a substantial part of it were at stake? Philanthropy is willingly enough indulged in out of that part of income which it is difficult otherwise to spend; but were it to propose to throw into the hazard, not only income but capital, the proposition would become a mark for jest or for contempt. And it could not be otherwise in view of the fact that from the cradle to the grave money has become synonymous with the gratification of every need; and needs have become so numerous, so complicated, and so imperative that a millionaire once well said that as between the necessities of life and the luxuries, the luxuries were altogether the most indispensable. Wealth, indeed, has become so much a part of the wealthy that they resemble the ants which, through the habit of being waited upon by slaves, have lost the power to help themselves; so that upon the approach of danger they are unable to escape unaided, but have to trust themselves to their slaves, who carry them to a place of safety.

Minions of splendour—shrinking from distress!

handed a fight upon which a club of millionaires was too timid to venture, reached the hearts of the people, and discovered to the amazed Knickerbocker that he was not the political poltroon which the City Club believed him to be.

This, however, must not be understood as a 'railing accusation' against the rich. That the wealthy are growing daily more and more concerned with the relief of misery in other classes of society must be acknowledged by all ; and that this concern is often sincere and disinterested no man can doubt. All this is much to their credit ; but it does not alter the fact that wealth is nevertheless the centre about which they live, and move, and have their being ; and that this creates a disposition to pauperise offspring, so that, as I once heard Jacob H. Riis say (though in somewhat more emphatic terms than I dare write here), while a millionaire boy has servants that cost thousands, and tutors that cost thousands, and horses that are worth thousands, and dogs that are worth thousands, the boy himself is often worth — nothing.

Nor is this result one which the parents can always, with the best intentions, prevent ; for the boy often comes into the world with a defective nervous system. Few millionaires in the United States are relieved from the harassing cares which attend the administration of a large fortune,¹ and which specifically attack the nervous system ; some of them are led to over-indulge in the pleasures of the table ; some, indeed, in vices of still more degenerating tendency. Children born of such fathers as these, and often late in life, are handicapped from the start ; and, strangely enough, while they lack qualities which Nature lavishes on paupers, they are embarrassed with advantages conferred by art. For nurses early learn that such children must not be thwarted ; convulsions, *crises de nerfs*, hysterics, and

¹ This is perhaps one of the greatest differences between the rich in America and Europe ; in England, at any rate, the vast estates of the nobility are managed by stewards, who thereby not only relieve their principals of the anxieties attending such management, but furnish them leisure which they can devote to public affairs.

other manifestations of ungovernable temper render impossible those restraints which alone could control the temper and improve the child. The nurse delivers such a child to the governess a hopeless neurotic, and the governess to the tutor an inevitable victim to excess and sometimes to vice.

It must not be understood that this is set forth as the general fate of rich men's children; it is only suggested as a tendency degenerating to type.

Nor are the evils that attend wealth confined to the children of the rich; for what the rich do for their children by education they do also for other people's children, though in a less degree, by example.

The fact that wealthy men are the most conspicuous in the community makes their example the most powerful for good or for evil. And what is the example they set their fellow-citizens in regard to matters political? On the one hand, they are driven by business interests to corrupting legislatures; on the other, they ostentatiously evade the payment of taxes by the constitution of fictitious domiciles. They smuggle luxuries purchased abroad through the Custom House; they provide themselves with certificates, not to be characterised, for the purpose of escaping jury duty; and they create such a widespread understanding that rich men are not to share the ordinary political duties of their less wealthy fellow-citizens that the whole New York press goes into hysterics of admiration and amazement when an Astor takes his seat in a jury box.¹

¹ See *New York Times* and *New York Sun* of March 8, 1896. On the same day the same astonishment is expressed because another millionaire by the name of Rogers had accepted the office of Superintendent of Roads at Fairhaven. In willingness to accept public office of a modest character the British plutocracy is far ahead of ours. The humble office of Justice of the Peace has, ever since it was instituted, far back in the Middle Ages, been habitually held by noblemen. The unwillingness of American millionaires to do their duty to the public should

The effect of example on type is too indirect to deserve exhaustive treatment here. It will be sufficient, then, to direct attention—not so much to the delinquencies of the rich as to the toleration of their delinquencies by the community to which they belong, and to that veneration for wealth that makes a dozen men jump out of their seats to make room for a Vanderbilt in a crowded car.

We have seen wealth tending to lower standards of morality and degenerate type by heredity, education, and example; and Socialists would add that it enables the few to enslave the many by the facility afforded by our existing social system to accumulate wealth at the expense of the majority. But with this part of the question we have in this chapter nothing to do, our attention being here devoted—not to the *rôle* played by wealth in our industrial system, but simply and solely to the effect it produces on type. Inasmuch as we have seen that human environment offers to man, not the alternative between life and death, as in the domain of Nature, but that between wealth and poverty—and inasmuch therefore as wealth becomes by this system the one prize, and the acquisition of it the main motive which our civilisation offers and promotes, it is clear that the influence of wealth on type is paramount. The selecting agent in our modern civilisation favours not the strongest, nor the most intelligent, nor the most moral, but the type which has the faculty for making and keeping wealth. This faculty is an extremely complex one, and an exhaustive analysis of it would not here be in place. Suffice it now to say that the faculty of making

not, however, give rise to discouragement. Mr. Rogers accepted the office of Superintendent of Roads to insure good roads for his own convenience. The same motive will, even though no better one replaces it, develop so-called public spirit when our rich men discover that public spirit pays.

money is very different from that of keeping it ; that both involve sometimes intelligence, sometimes luck—sometimes morality, sometimes immorality ; but that, whatever be the qualities which go to compose it, the standard set up by the thirst for it tends to be low and the type it tends to produce uncommendable.

And yet before abandoning the subject of wealth I cannot too often repeat that the foregoing must not be regarded as an indictment of it. Wealth is as essential a factor in the progress of civilisation and of the race as those appetites of the body which we find it so difficult to keep under restraint. Were it necessary to recount all the crimes that have been committed in the satisfaction of hunger, we should not thereby justly expose ourselves to the accusation of condemning appetite as the source of all human misery. It is *not* necessary to recount these crimes, because the fact of hunger is not only obvious but irremediable. It is necessary to describe the effect of wealth upon the race, because this effect is neither universally understood nor generally admitted, and the claim is being made by some that the evils which attend it are not irremediable. On this point further later on.

§ 3.—The Element of Time in Natural and in Human Evolution

It has been already pointed out that the process of evolution in Nature is cruel and uncertain ; we have now to point out that it is extremely slow. Darwin was so impressed with the necessity of time for the slow development of animal life from a primordial cell to man that he demanded for it all that physicists would accord him. He thinks that 60,000,000 years are none too few for the development from organisms found in the Cambrian Rocks to that which exists to-day ; and

he claims another 140,000,000 years for the development from the primordial cell to that displayed in Cambrian life. This makes a total of 200,000,000 years. These figures, however, must probably be corrected. Lord Kelvin argues, from the rate at which the earth is now cooling, that no organic life could have existed on the surface of the earth 100,000,000 years ago, and Professor Tait reduces this figure to 10,000,000.

Whatever be the truth regarding this vexed question, it seems probable that evolution has not sensibly operated in Nature outside of the effort of man during historic times. Human art, however, has been applied to the modification of species with surprisingly rapid success. From the single wild rock-pigeon man has, by breeding from 'sports,' produced types as different as the carrier and the short-faced tumbler, the long-beaked runt and the short-beaked barb. Again, hornless cattle have been bred in Paraguay from a single bull without horns ; and in San Paulo, a province of Brazil, the so-called breed of big-horned Franqueiros was suddenly produced in the same way by breeding carefully from a bull favoured with enormous horns. The Mawchamp breed of sheep owes its origin to a single lamb which was born in 1828 from merino parents, but whose wool, instead of being curly like that of its parents, remained quite smooth ;¹ and a race of sheep was produced in New England from a single 'sport,' with legs so short as to be unable easily to jump over fences.

Experiments on the adaptation of animal organisms to new environments have thrown much light on the conditions necessary to such adaptation. The earliest experiments on the subject were made by F. S. Beudant,²

¹ De Varigny, *Experimental Evolution*, p. 154.

² *Mémoire Journal de Physique*, vol. lxxxiii. p. 268, quoted by De Varigny, p. 185.

who endeavoured to accustom fresh-water mollusca to sea water, and *vice versa*. All his experiments showed that a sudden immersion of fresh-water forms into salt water caused death ; so also with sudden immersion of salt-water forms into fresh. But by making the change gradually he found that, although the fresh-water forms *Unio* and *Anodonta* died in the process, *Paludina* survived ; and conversely, out of thirty-eight species of salt-water mollusca, twenty stood the change to perfectly fresh water well, while the remaining eighteen perished.

Similar experiments made by De Varigny further demonstrated that littoral organisms which were exposed in Nature to considerable changes of environment through the sudden flow of fresh water after rain, and the diminution of fresh water during drought, were more adaptable to change of environment than deep-sea forms which had not been so exposed.¹ For example, the deep-sea *Sagartia parasitica* died upon diminishing the saltiness of the aquarium, while the littoral *Actuna* and *Anthea* survived. This seems to confirm experimentally what we observe regarding our own race ; for the Esquimaux die of heat in such climates as ours, and tropical apes die of the cold here ; whereas we are able to resist both the cold of the Arctic region and the heat of the Torrid Zone.

Adaptability is mainly a question of method, and in the method the most essential element is that of time. This has been demonstrated in the experiments of Dr. Dallinger.²

The object of these experiments was to find under what conditions and to what extent organisms could adapt themselves to higher temperatures without danger to life or reproduction. For this purpose the organisms

¹ De Varigny, p. 187.

² *Journal of the Microscopical Society*, 1887, pp. 186-199.

selected for experiment were such as reproduced themselves with great rapidity. Those experimented on were three varieties of monads: *Tetramitus rostratus*, *Monas Dallingeri*, and *D. Drysdali*. The time it takes for these monads to reach maturity is generally calculated at four minutes; but Dr. Dallinger estimated that in his experiments a little over seven minutes should be allowed per generation. These monads live comfortably at 60° Fahr.; if suddenly transferred from a nutritive fluid at 60° to a nutritive fluid at 150° they without exception perished. Nevertheless Dr. Dallinger, by proceeding with great caution and slowness, succeeded in keeping them alive and in a condition which permitted of reproduction at a temperature of 158°.

He took four months in slowly raising the temperature from 60° to 70°; when the temperature reached 73° he found such a diminution in the number of monads to the drop that he concluded there was no longer the same rapidity of reproduction, and that there was probably an increase of death-rate. He therefore kept the temperature constant for two months, and found that the fertility and reproductiveness of the organism were slowly restored; so that by the expiration of two months he was once more justified in gradually increasing the temperature. The organisms were subjected to a slow and gradual advance from 73° to 78° in five months, at the rate of about 1° per month; at 78° the advance had once more to be checked, in order to give the organisms time for adaptation. At this stage Dr. Dallinger observed a development of vacuoles or internal watery spaces, and these vacuoles were seen slowly to disappear. Subsequent experiments made by Messrs. C. B. Davenport and W. E. Cassell¹ seem to indicate that the more an organism is free from

¹ *Journal of the Microscopical Society*, 1887.

water the better it resists high temperatures. It is probable, therefore, that the formation of these vacuoles and the disappearance of these vacuoles was the process through which the monads of Dr. Dallinger's experiments rid themselves of the water which interfered with their power to resist high temperatures.

After the disappearance of these vacuoles the temperature was slowly advanced, with occasional pauses, until that of 158° was reached; and here the experiment was brought to a conclusion by an accident to the apparatus. It is a matter of no small interest that the monads which had become adapted to a temperature of 158°, if thrust back into water of 60°, immediately perished. The most important conclusions to be drawn from these experiments are:

Firstly.—Changes in environment must be extremely slow or they will produce death, or, if not death, extinction of race by lesion of the reproductive organs. In this case the experiments lasted over seven years. If seven minutes be allowed as the time necessary for these monads to reach maturity, the number of generations acted upon by Dr. Dallinger's experiments will be seen to have reached no less than five hundred thousand generations. If four minutes be allowed from birth to reproduction, the number of generations operated upon would be almost a million. Were we to imagine these experiments made on man, and to allow twenty years as the normal period of human development from birth to reproduction, the process of adaptation—which for the monad took seven years—would for man take about ten million years, on the theory that the period of maturity is reached in monads in seven minutes ; it would take almost double that time on the theory that maturity is reached in monads in four minutes. This calculation, however, proceeds on the assumption that man is not

more adaptable to change of environment than monads. In one sense it may be said that man is less adapted to changes of environment than monads; because, the more highly complex an organism is, the more sensitive it has been found to changes in environment, and therefore the more likely to suffer if the change of environment is considerable. From another point of view, however, it will be shown that in certain directions man is infinitely more adaptable to environment than the lower animals.¹

The conclusion, however, to be drawn from Dallinger's experiments is that adaptation to environment takes place *in Nature* and *outside all efforts of man* at a rate which is almost incalculably slow.

Secondly.—The change of environment must not be sudden; it must not even be continuous, but it must be interrupted so as to give the organisms under experiment the necessary time to adapt function thereto. This is the conclusion to be drawn from the fact that Dr. Dallinger found it necessary to wait as much as two months at a time before renewing an advance of temperature. Two months may seem short to us, but if represented in generations of monads it represents an enormous lapse of time represented in generations of men.

Thirdly.—Adaptation of function to a new environment tends to unfit the organism for the original environment out of which it has become adapted. This is illustrated by the fact that an organism adapted to live in a temperature of 158° is destroyed if suddenly plunged into an environment of 60°.

It is interesting to note a certain homology between the character of change which Dr. Dallinger found

¹ See p. 167.

it necessary to adopt in his experiments on monads and the character of change which seems to give rise to the best conditions of progress in the history of our own race. For example, the alternating conditions presented by the predominance at different periods of the Liberal and Conservative parties in England resemble to a certain degree the stages through which the monads experimented upon by Dr. Dallinger passed. The period which brought about the Reform of 1832 corresponds to a period of advance in temperature; the defeat of the Whigs and the return to power of the Conservative party in 1841 represents the pause which Dr. Dallinger found necessary before renewing an advance in temperature. The return of the Liberal party in 1846, only to give place once more to a period of Conservative reaction in 1852, continued to carry out the scheme imposed upon Dr. Dallinger by the necessity of complying with the demands of Nature to a slow adaptation of changing conditions. Homology may also be traced between what took place during periods of rest in monads and what takes place during periods of Conservative reaction in England. These periods are by no means periods of inactivity; the advance is stopped in one sense of the word, and yet it is going on rapidly in another. For while Dr. Dallinger found it necessary to stop the advance in temperature, Nature was fitting the organisms under experiment for a new advance by the elimination of water through the formation of vacuoles. In the same way we observe that periods of Conservative government are characterised often by almost as progressive legislation as periods of Liberal administration; indeed, the actual results of legislation are sometimes found to have been greater during Conservative Ministries than during those of the Liberals. Liberal Ministries stimulate the minds of men and represent periods of

advance in human thought and human ideas ; during Conservative Ministries, on the other hand, a period of stimulation is temporarily arrested, and the country slowly enacts the very laws which it refused to enact during the period of stimulation. It ought to be hardly necessary to point for illustration of these phenomena to the passage by the Conservative Ministry of Disraeli in 1867 of the very Reform Bill thrown out when proposed to practically the same Parliament the year before by Gladstone, and the recent passage of an Employers' Liability Bill by a Conservative Government far more Radical in its provisions than any Liberal Government would have dared propose. During these periods of Conservative reaction or rest the political organism is effecting such changes in itself as are necessary to survival under the new conditions ; it is getting rid of its vacuoles.

Returning now to the question before us, notwithstanding the undoubted fact that evolution in Nature proceeds at an almost incredibly slow rate of time, it would be extremely improper to apply the conclusions drawn from the operation of evolution in Nature to the development of man, for, as has been already pointed out, the process of development in man is essentially different from what it is amongst the lower animals.

§ 4.—The Development of Man after Birth is the Result of Education rather than of Heredity

In the first place, evolution in man is for the most part cerebral and psychical ; it is very little if at all physical, except as regards the brain and the nervous system. In the second place, a large part of the development of animals of the lower orders takes place in the womb, and is therefore a product of heredity

rather than of education ; whereas the higher animals, and above all man, are born into the world long before the development is complete. The result of this difference is that whereas a chick comes into the world with all its habits made, the kitten and the pup come into it with its habits still subject to modification by the parent and by the environment. What is true of the kitten and of the pup is still more true of the human infant, which for nine or ten months is practically helpless in the hands of its nurse. Education therefore plays a larger and larger rôle in determining the habits of an animal in proportion as the animal rises in the scale of progress. Not only is this the result of the most superficial observation, but it is confirmed by physiological examination of the brain. In the infant the brain is comparatively smooth and free from the convolutions which differentiate an educated brain from an uneducated one.¹ Nature brings a chick into the world as it were with the law of its existence already written out for it ; she brings a man into the world, on the contrary, with a comparatively blank scroll, upon which education can inscribe its law.

If, therefore, it is conceded—and it can hardly now be denied—that the evolution of man is essentially a cerebral and psychical one, and if cerebral and psychical development is determined more by education than by heredity, it is obvious that changes of environment which affect the brain and the thoughts of man can no longer be held to be controlled by the same laws as those which determine natural evolution in the lower animals.

¹ My authority for this statement is John Fiske. Its accuracy, however, has been disputed, and on reference to Mr. Fiske for confirmation, Mr. Fiske has maintained that the smoothness of an infant's brain is known to him from actual observation of autopsies made in his presence.

Let us, then, next consider in what respects the mind of man differs from that of animals in the rapidity with which it comes to its conclusions, and in the rapidity therefore with which it may adapt itself to changes of intellectual environment.

Much light has been thrown upon the process by which animals come to conclusions by the experiments of Dr. E. L. Thorndike.¹ The most interesting feature about these experiments is the result that, as a matter of fact, animals never come to conclusions at all, although they acquire habits which to the human observer look like conclusions. The experiments made by Dr. Thorndike are briefly as follows: He imprisoned hungry animals (chiefly kittens and young dogs) in such a manner that it required the performance of a special act on the part of the animals to escape from their prison and reach the food which was displayed before them through the bars of the cage in which they were imprisoned. The act necessary to be performed varied in different experiments; it was in some extremely simple, involving simply a tug at a wire or a pull at a ring; at other times it was more complicated, involving the lifting of a latch. Sometimes the door opened of itself upon the lifting of the latch; at others the lifting of the latch had to be accompanied by a push of the door.

All these experiments were devised for the purpose of watching how the imprisoned animals behaved under these conditions. Did the animal ever reason? Did it ever see an obvious connection between the movement to be effected and the opening of the door, and, having seen this connection, make the movement and open the door? Did it ever, upon being put in a cage with an

¹ *Animal Intelligence*, submitted in partial fulfilment of the requirements for the degree of Doctor of Philosophy in the Faculty of Philosophy, Columbia University.

educated animal, on seeing the educated animal use the contrivance, learn to use the contrivance by imitation ? Did it, after it had learned to use the device once or twice, perceive the connection between the mechanical device and the opening of the door, and continuously thereafter use this device ? Experiment answered all these questions in an unmistakable negative.

What actually happened was this : the animal in every case made wild movements about the box, without any regard whatever to the device that closed the door ; and in the course of its various efforts accident would at last cause him to move the latch or pull the string, and thus secure his freedom and access to the food. The next time he was put into the box he went through exactly the same process, sometimes taking a longer time than at first to make his way out of the box ; the third time he went through exactly the same operation ; and after a great number of experiences he very slowly acquired a habit of pulling the string or lifting the latch. But this habit was not acquired until many accidents had created the habit ; indeed, it sometimes happened that after many happy accidents had liberated the animal, upon being once more shut in the box, his efforts would prove unsuccessful so long that he would give up the effort, and the experiment would therefore end in failure. For example, in one case (page 43) after 13 minutes of effort he gave it up and was removed from the box. He was restored to the box shortly afterwards, and after a few seconds succeeded ; the next time he succeeded in a few seconds ; the next time he succeeded in 50 seconds ; but the time after it was 15 minutes before he succeeded ; and the next time his efforts continued for 6 minutes, then he gave up the attempt.

On the following day he succeeded the first time after 14 minutes of effort ; the next time he was put in

the box he made efforts to escape during 20 minutes, and then gave it up. After being taken out and given time to rest, and returned to the box, he succeeded in a few seconds. The experiment being once more tried, he made an effort during 20 minutes and then gave it up. On the next occasion he made efforts again during 20 minutes, and again failed; at the next experiment he made efforts during 15 minutes, and again failed. The next day he was left in the box for an hour, and his efforts proved entirely unsuccessful.

In other cases, on the contrary, the success was much more rapid, and the habit was acquired; but in all these cases the habit was not acquired except after a great many repeated efforts and through a series of fortunate accidents. To quote the author (page 45): 'The cat does not look over the situation, much less *think* it over, and then decide what to do. It bursts out at once into the activities which instinct and experience have settled on as suitable reactions to the situation, "*confinement when hungry with food outside.*" It does not ever in the course of its success realise that such an act brings food, and therefore decide to do it, and thenceforth do it immediately from *decision* instead of from impulse. The one impulse, out of many accidental ones, which leads to pleasure, becomes strengthened and stamped in thereby, and more and more firmly associated with the sense-impression of that box's interior. Accordingly it is sooner and sooner fulfilled. Futile impulses are gradually stamped out. The gradual slope of the time-curve, then, shows the absence of reasoning. They represent the wearing smooth of a path in the brain, not the decision of a rational consciousness.'

If now we contrast the method by which an animal acquires habits and those in which men acquire them,

it is obvious that reason in man furnishes him a short-cut; in other words, a man perceives the relation between the device for opening the door and the opening of the door. Once this device is discovered by him—unless it is an extremely complicated one—he knows it once for all; *he need not wait until he acquires the habit.*

The foregoing considerations make it obvious that any argument drawn from the slow operation of natural environment cannot be applied to human evolution, except with the greatest caution. It would be grossly incorrect, however, to disregard the argument altogether. Democratic institutions¹ flourished between four and five hundred years before Christ. The mass of people at that time had not attained the wisdom and particularly the self-restraint which made the permanence of democratic institutions possible. The intemperance of the masses and their lack of intelligence furnished the aristocracy an excuse and a weapon for subverting these institutions. Forms of government, therefore, which practically approached the ideal were replaced by forms of government entirely inconsistent with human progress; and under these last humanity had to wait for centuries before a new experiment at democratic institutions was possible.

If we scrutinise still more closely two nations separated one from another by little more than a salt-water ditch, we shall see that the gradual process for escaping from absolute government in England achieved its purpose with less wear and tear upon the people, and a consequent better result in prosperity, than in France, where, on the contrary, the disposition was to move radically and rapidly rather than conservatively and

¹ The words 'democratic institutions' are used to cover all forms of government in which the people have a constitutional method by which to exercise control over government, and include therefore constitutional monarchies as well as republics.

step by step. The alert Latin mind arrived earlier at a clear notion of representative government in France than in England,¹ and earlier took the necessary steps to secure such government. The very precocity with which the French mind perceived the ideal form, and the very eagerness which made it impossible to move towards it with the gradual deliberateness that organic evolution seems to demand, threw France back after a brief spell of constitutional government from the imperial paternalism of Charlemagne to that of Louis XI. It was not until the condition of the people became intolerable that they were tortured into revolt; and then once more they sought to realise at once the highest and most ideal form of government, instead of waiting until they slowly adapted themselves to it. From 1789 to 1870 France was an arena for revolution after revolution; and had the Radicals who sat in the National Assembly of 1870 not been out-voted by a Conservative majority, due to accident rather than to design, a constitution would have been imposed upon France in 1875 as ideal and unpractical as those under which she had already three times failed. In England, on the contrary, because the Anglo-Saxon mind is a little more dull and far less imaginative than that of their neighbours in France, and because the Anglo-Saxon temperament is willing to proceed upon the plan that half a loaf is better than no bread, every advance made by the people has been small and slow; it has never gone to extremes; it has never tried to accomplish too much at a time; and the result has been that its institutions have developed no faster than the temperament of the people permitted.

Human evolution resembles natural evolution in the fact that human institutions cannot profitably develop

¹ I refer to the concessions secured by the *Parlement* of 1856.

faster than individual character. But it must be admitted that individual character, being mainly the product of education, is much more adaptable to human institutions than the temperament of such lower animals as are born with their habits determined by heredity. It must also be admitted that inasmuch as human institutions appeal to the minds of men, and inasmuch as the human mind reaches its conclusions with infinitely greater rapidity than the mind of lower animals, human institutions or environments are capable of infinitely greater and more rapid development, without danger to the human organism, than natural environments in their relation to the lower animals. Nevertheless, we must never for a moment forget that the physical basis of man is organic ; that there is a physical basis to the psychical life and development of man ; and that this physical basis is therefore capable of only slow adaptation to its environment. To the extent, therefore, to which man is physical, to that extent his adaptation to environment must be slow. On the other hand, to the extent to which man is psychical, to that extent his development can be infinitely more rapid.

§ 5.—*Conclusion*

And so we have brought our studies of the effect of human environment on the human type to a close, and what are in brief the conclusions to which we have come ? Taking the elements of natural selection in order—namely, variability, a selecting environment, the survival of the fit, and the inheritability of variations selected—we have been driven to the following conclusions :

Civilisation creates an environment that is not only non-natural, but is often the direct opposite of that of Nature.

It tends to eliminate climate by creating one of its own, and reverses the effect of climate by creating the highest types in climates that are unfavourable in the state of Nature.

It tends to eliminate selection by battle altogether. Battle amongst men is not only being replaced by arbitration and diplomacy, but the effect of international environment is to kill off the physically strongest and favour nerve rather than muscle ; and while it tends towards the survival of those communities in which the social qualities (including self-restraint) are most highly developed, it also tends towards low moral standards by countenancing dissimulation in diplomatic dealings, and thereby holding falsehood up to the approval of the world in dealings between man and man.

Battle between man and beast is practically suppressed altogether, with the exception of those microscopic enemies which we have till lately ignored in consequence of their minute size. The battle with them, which has only just been inaugurated, is likely eventually to be as fatal to them as to the rest of the enemies of man ; but, unlike similar conquests in the domain of Nature, this is likely to result in an enfeeblement of the race rather than a strengthening of it. All other battles to which man is subjected are better known under the name 'competition' ; but in this competition there is no taking of life. It is a competition of purses rather than of lives ; indeed, those most fiercely engaged in it are often those most anxious to dissemble its existence. It is in large part waged in secret ; the combatants are not arrayed in recognisable uniforms or ranks ; they resemble rather a vast crowd, in which every man is trying to pick his neighbour's pocket. The successful grow rich, and the unsuccessful grow poor ; with the singular result that

the unsuccessful poor perpetuate the race, while the successful rich tend to die childless.¹

And so the selecting environment favours—not strength, but a peculiar combination of faculties included in that of getting rich, in the course of which one standard of life is set up above all others—wealth. Wealth determines what clothes a man shall wear, what food he shall eat, what house he shall live in, what education he shall have, what society he shall enjoy, whom he shall propitiate and whom he shall hate, whom he shall look up to and whom he shall despise.

And while man is for ever driving out Nature with the broom of wealth, she is ever returning to crowd the empty hearth of the pauper with undesired offspring, and to strike down the only child of the rich ; to fill the poor with appetites they can never satisfy, and cram the wealthy with satisfactions for which they have lost desire.

Nevertheless, however unsuccessful in extreme cases may have been the efforts of man to secure happiness out of his struggle with Nature, no sane man would willingly return to the state of Nature out of which this struggle has rescued him ; and if no modern century can surpass in wisdom, culture and art the men who crowded the spacious era of Pericles, nevertheless it can be stated without fear of contradiction that the average type of man is infinitely higher now than then ;

¹ This does not purport to describe existing social conditions as a whole, but only that element in them which man has borrowed from Nature—namely, competition. A large part of every man's life contributes to the co-operation which is the keynote of social progress ; and even those men most immediately engaged in making money, such as merchants and tradesmen, are essential factors in the mutual happiness that makes our social conditions civilised. It is the element of competition in our system which is described, and only the element of competition. Whether this element is necessary or not, how far it is necessary, and how long it will remain so, will be studied in a subsequent volume.

that their comforts are more and their lives more free from pain. So that, in substituting effort for Nature in the making of man, the sum-total has been progress ; and if the movement of the race has not been always in advance, the retardation has been and always will be due, not to any inexorable law of Nature, but to a failure of effort or of wisdom in man himself. It is the belief that a clear understanding of man's struggle with Nature will lead to a conviction of his ability by effort and wisdom still further to improve the conditions of the race that has prompted the writing of this book.

CHAPTER IV

HUMAN EVOLUTION IN ITS RELATION TO GOVERNMENT

ONE of the advantages of the contrast established in the previous pages between the law of Nature and the law of man is that it ought to have put an end to any lingering doubt that may have remained in the reader's mind regarding the unwisdom of using the words 'law of Nature' to mean anything but what they obviously mean, and especially the unwisdom of using them to mean the opposite of what they obviously mean. In other words, the law of Nature which determines the relations of animals to one another is no other than the *lex fortioris*, or the law of might; whereas the ideal law ought to be diametrically the opposite of this, the law of right. Reference is made to this now because I want to be relieved by the conclusions to which we have come from the necessity of discussing controversies raised by those students of sociology who have failed to distinguish what the real law of Nature is. Prior to 1858 there was no clear knowledge on this subject; and when Plato and Aristotle wrote, and still later when the words 'natural law' were defined in the Institutes of Justinian to mean the opposite of what they obviously mean, it may be said there was no knowledge on the subject whatever. On the contrary, there was a *quasi-religious* bias which in the Greek and Roman mind referred back to a previous era called the Golden Age, as one during

which natural law was supposed to have been identical with ideal law, and happiness reigned in the world. And in the minds of Jews and Christians this bias was not merely *quasi-religious*, it was an article of faith imposed by the authority of Revelation. Under these conditions it is not surprising that most of the literature on government prior to the close of the last century—the works of Machiavelli excepted—was involved in hopeless confusion ; for it was built on the theory that natural law was to be our model, whereas we have now learned that it is to a large extent our enemy.

Upon the understanding therefore that students of political institutions to-day are no longer under the necessity to take into consideration the manifold discussions which arose prior to 1858 regarding the Nature of right, I am going to attempt to pick out of history a few of the facts and events which throw light on the phases through which civilisation passed until Constantine made Christianity the religion of the civilised world, adopting a course, already indicated, which will proceed along lines of fact and avoid lines of controversy.

We have seen that the law of Nature drove animals to habits of life which differed according to their constitutions. Carnivora were committed by their ferocity to isolation in small family groups ; herbivora, on the contrary, were driven by fear to herd, and there was developed in them thereby the embryo of the so-called ‘social mind.’¹

We find this embryo developed in an extraordinary degree in insects ; to such a degree, in fact, that there is very little to distinguish their communities from those

¹ Behind both the isolated family of the carnivora and the herd of the herbivora is the consciousness of kind, the rôle of which has been pointed out by Professor Giddings in his work on sociology.

of the early races of man and the savage races of to-day. That little, however, is found to be the germ of all that has made man capable of releasing himself from the bondage of Nature ; and it has been given, for want of a better, the name of 'religion.' Before, however, taking up the *rôle* played by religion in the development of man, it is important to study the extent to which the human machine is subject by its construction to religious influences ; for upon some of the facts connected with this matter there is no legitimate ground for doubt, though upon the conclusions drawn from these facts there is endless room for controversy. Let us begin, then, by separating fact from theory.

The most startling fact which encounters us upon such a study is that until late years most men have been influenced so much more by habit than by purpose that, by the side of habit, purpose may almost be regarded as a negligible quantity. Now, the importance of this force of habit, and of the nature of the habits that influence different communities respectively, is so great that we must be quite sure that we are agreed as to just what 'habit' is before we proceed any further.

All animal action has been divided into voluntary and involuntary. The action of the heart belongs to the involuntary ; the closing of the eyelid to voluntary. This classification, however, is misleading ; for there is all the difference in the world between the instinctive closing of the lid against a sudden attack upon the eye and the deliberate closing of it for the purpose of shutting out an attractive but immoral spectacle. This consideration suggests the necessity of a more careful classification. Physiologists distinguish muscles into striated and non-striated ; the non-striated are those muscles which act independently of the human will altogether--such as the muscles of the intestines ; the

striated are those which act only in obedience to a message from some nerve-centre; amongst these last are the muscles of the eyelid. It is found, however, that nerve-centres act in two very different ways. Sometimes they act automatically, as when the eyelid closes, without any conscious effort on our part, upon being threatened with a blow; sometimes they act in obedience to a conscious and deliberate purpose, as in the other case already suggested. The first of these actions is termed 'reflex action,' and covers a much larger scope of man's life than is generally recognised; witness the length of time a man can walk, without consciousness of walking, when absorbed in thought or even when asleep; witness also the retired sergeant who dropped the dinner he was carrying in the street upon being suddenly called upon to 'Present arms!' All action which is regular, like that of a machine, tends to become reflex; and even the most complex actions seem capable of becoming so.

We have now distinguished two classes of *unconscious* muscular action—the involuntary action of the heart, and reflex action of the eyelid. We have next to recognise a large series of actions that, without being unconscious, are so determined for us by habit that we are pretty sure to perform them unless some strong motive prevents; amongst this class of actions are grouped all those which are in satisfaction of animal needs—to eat when we are hungry, drink when we are thirsty, laugh when we are amused, cry out when we are in pain—and closely allied to these is that other group of actions, coupled with no small effort, both of mind and of body, upon which we are set by the same desire—such as the effort to seek food when we are hungry or to provide it in anticipation of hunger—and all the other efforts made for the ulterior satisfaction of our needs and the avoiding of familiar pains. Just as the

herbivora seek good pasture and the carnivora fat prey, so do we in our daily round of life by sheer force of habit set about our business with a view to providing ourselves with the things that are needful to us. Now, if any one of us will at the close of a day endeavour to separate out of it the acts in which he has refused to comply with habit, he will be surprised to find how few they are. At the risk of being tedious let us consider the acts of an ordinary business man, even of one who is called upon for the highest exercise of intelligence—as, for example, the president of a large corporation—and let us see if any of them are other than habitual. He rises in the morning at the habitual hour; breakfasts in the habitual manner; reads his paper as a matter of course; goes down town by the appointed method; reads his mail, answers it, receives visitors, keeps his appointments, attends meetings, lunches, attends more meetings, comes to weighty conclusions, sets in operation thousands of activities (even the puniest of us seldom passes a day without employing that vast machine the United States mail, a machine as automatic as ourselves), returns home, takes exercise if he is wise, dines and spends his evenings as has been arranged for him by his domestic circle—all in obedience to habits that have operated upon him without perhaps a moment of question or a moment of resistance; and if during that time he has committed a dozen sins or subscribed to a dozen charities, all these sins are likely to have been committed and all these subscriptions are likely to have been made in obedience to the same silent and obscure master that we seldom admit either to others or to ourselves—habit.

If habit has this control over the actions of the most intelligent amongst us, how much more will it have over the least? Let us turn from a bank

president in New York to a coolie in Canton or a Fellah on the banks of the Nile. It can hardly be supposed that these men, who have infinitely less occasion for the exercise of intelligence or will, are likely to exercise them more; would it not be safer to say that if a bank president resists habit seldom, these last resist it not at all?

Now, habits are formed very much as instincts are—by heredity; but they are formed in great part also by education. And education in this connection is of two kinds: the education we receive from others, and the education we give ourselves. The first operates more in our youth and least in our old age; the second is likely to operate, if at all, in proportion as parental and scholastic education comes to an end. But the question of all questions which every individual has to ask of himself is, how much he is engaged in this all-important task. The answer will tell him how much he is exercising self-government. And at a period when the most advanced civilisations have in a more or less degree adopted the form of political institution which has been called, from its peculiar nature, 'self-government,' the sum of the answers which every individual can conscientiously make to himself on this subject will be the answer to the great inquiry, how far, if at all, the nation of which these individuals are composed is capable of it.

Perhaps this point of view will secure forgiveness for the short digression of which I have been guilty into a domain that belongs perhaps more particularly to physiological psychology than to political science. But we have a still more immediate use for the conclusions to which we have come; for the force of habit in the framing of early political institutions is such that it dwarfs every other force, and puts out of court such endless discussions as those that have long confounded us under the name of 'social contract.'

We do not contract ourselves into the nation to which we belong. We seldom, if ever, discuss it; if we think about it at all it is to recognise that, whether we are willing or not, we are subject to the laws of the land in which we live. And unless we are content to enroll ourselves among the criminal class, and suffer the consequences thereof, we must remain subject to these laws, or seek some other land where the laws are less repugnant to our taste or over which Nature herself still extends her savage sway.

And we are born into the nation of which we are part with all the advantages and all the disadvantages that attend the conditions of our birth; some of our habits we inherit, and many of them during our infancy, childhood, and adolescence we contract. If we have been surrounded by conditions of wisdom our habits are likely to conform to wisdom, and we shall be daily engaged in improving our habits so as to conform to wisdom more and more; whereas if our surroundings are characterised by folly or vice, our habits will bear the imprint of folly and vice more and more, until we confer our degenerate habits upon offspring still more degenerate than ourselves.

What is true of ourselves in this respect to-day has been true of man, and of all the conscious animals which preceded man, from the beginning. They have all come into the world predestined to certain habits, partly by heredity, partly by education; and it is the slow modification of these habits to suit a changing environment, and of function to conform to changed habits, that contributes to make up the process of evolution—both of Nature and of man.

We cannot too much insist upon this overwhelming influence of habit upon man in connection with religion, because our knowledge of the first appearance of religion

in the world seems to be as incomplete as our knowledge of the first appearance of life upon it. The first religions that we know of seem like degenerate relics of a once purer religion. The religious sentiment seems to have disappeared, and left nothing behind it but ritual and superstition ; and the rites seem to be in the hands of a caste which profited by the control it had acquired through habit over the minds of men in order to secure submission, nominally to a monarch, in fact to itself.

The theory that ancient religions began by superstition, such as that regarding ancestral ghosts, it seems difficult to reconcile with the myths and legends which, though they sometimes shock us by their grotesqueness, indecency, and incongruousness, are nevertheless often found to contain parables of amazing wisdom and deep religious thought. What, for example, can be more odious or absurd than the story of Chronos devouring his children, until its possible meaning is suggested by the cruelty of the environment ; or the story of Osiris, until we find blended within it a tribute to the fecundity of the earth, to which we are attached on the one hand, and to the everlasting life to which we aspire on the other ?

Nor does it seem possible to gaze on the gigantic sculptures which look from the façade of Abou Simbel across the valley of the Nile towards the rising sun, without being filled with a conviction that the religion which inspired them was something more than a trick devised by a crafty priesthood to fatten on the superstition of the many.

But it would not do to build political theory upon considerations that seem to rest so much on emotional impressions as these. Whatever be the origin of religion, the fact remains that when we first have knowledge

of it a priesthood has through it secured a hold upon the habits of the people which coerced them into an almost blind submission to the ruler selected. And although the majesty of the king was sustained by all the power of the priesthood, he was in fact their tool ; sometimes, indeed, they carried the outward recognition of their supremacy so far that the shrine of Abdera not even the king was permitted to enter. And the king bore this domination because he well knew that the real power was in the hands of the priests, just as to-day the citizen is at the mercy of the machine ; so that if in the Presidential campaign of 1896 he would successfully fight what he might sincerely have believed to be financial heresy, he must do so at the cost of enduring political servitude. For the political machine controls the organisation of the State by its command over the habits of men, and the priests controlled the organisation of the people by control of their religious rites. Religion, then, must be regarded as a great social factor in primitive civilisation, because it favoured the military drill and servile obedience to a single ruler essential to the organisation of powerful armies.

But although religion was a strong social factor in purely military communities, such as those of Assyria and Egypt, we find it exercising a powerful anti-social tendency in the less military civilisation of primitive Greece ; and we find this anti-social tendency impeding the military organisation of Rome until it was crushed out, partly by military necessity and partly by the indomitable temperament of the people. For in the early periods of Greek and Roman civilisation religion was essentially a matter of individual property, every family had its own gods (the *lares penatesque* of the Romans, the *θεοὶ χθόνιοι* of the Greeks), and these gods were the shades of their ancestors. Almost every duty

in life resolved itself into a duty to these shades ; the duty to marry was but to insure offspring who would continue to minister to the needs of the deceased ; the duty of chastity, and indeed of morality in general, resolved itself into a duty to keep inviolable the sacred flame upon the hearth. And although the sepulchre might be the external temple of this religion, the internal temple was the hearth ; the religious rites of every family were celebrated there in secret, the presence of a stranger desecrating them ; and the rites could be performed by no one but the head of the family—*pater-familias*—and lent to the home a sacredness which is perhaps the origin of the idea of property. For as soon as this family religion became the controlling influence over the minds of the people, so that hardly a step could be taken without a sacrifice upon the family altar and a consultation of the *auspices* thereat, the altar itself, and the house that enclosed it, and all that was accessory to it, became invested with an importance that reached the heart as well as the head ; and so the Greek word for family is *επιτοιον*, or that which is beside the altar, or *οίκος*, that which contains it.

Now, although this family religion served, in spite of its trivial superstitions, to maintain a high standard of domestic morality, it exercised a powerful anti-social influence against all effort to weld families into a city or State ; for every family, having a religious ritual of its own, had inevitably resulting therefrom a code of law and usage of its own. The family became powerful by the number of its retainers, so that such families as the Greek Cecropides with its *thetæ*, or the Roman Claudian family with its *clientes*, constituted factors which a community could not afford to disregard. It developed into the *gens* at Rome, which constituted within the city a veritable *imperium in imperio*. When the Sabine

Claudian family established itself there, it consisted of three thousand persons, all obeying a single head ; and the Fabian family became so powerful that its chief, speaking before the Roman Senate, undertook alone to conduct and support a war against the Veii. In Greece the head of a family had the title of *ἀρχων*, and in both countries the *gens* had its regular meetings and passed laws which were not only obeyed by the members of the *gens*, but were respected by the State. The members of each *gens* constituted a sort of Masonic lodge, each of which was bound to render aid to the other. The *gens* was responsible for the debts of its members ; was bound to ransom prisoners, to pay fines on conviction, to contribute to the expense of maintaining its members in office ; if a member was indicted he was attended at court by the entire *gens* ; no one member could bear witness against the other ; and so far was this solidarity carried that when Appius Claudius was indicted, a powerful member of his family, though a personal enemy of his, came to his support 'not through affection, but through duty.'

Such an organisation as this, supporting and supported by a horde of retainers, could not but be a danger to the State, especially when it was founded upon a religious exclusiveness and intolerance so great that it was a sacrilege for any person not a member of the *gens* to be present at the performance of its religious rites.

Nor was it possible for a number of such organisations to exist in the same city without giving rise to rivalry in the distribution of political office, which converted every *gens* into a political machine.

No community consisting of such numerous and powerful centrifugal units could survive ; it must either blend these elements into one, or succumb to a neighbour

better adapted to socialisation. The communities that did survive have handed down to us the history of their socialisation ; those that did not survive have left nothing but the fact of their defeat.

It may seem that because the prevalence of ancestor worship in Greece and Rome has been recognised, and the family admitted as the unit out of which the State developed in these communities, therefore the theories of Herbert Spencer as regards the first of these two admissions, and of Sir Henry Maine as regards the other, have been adopted also. This conclusion would, however, be a mistake. It happens that the communities concerning whose history we know most seem to have sprung from a slow combination of families, each of which entertained a religion that consisted essentially of a cult for the dead. But this is no reason for concluding that therefore all communities have had a similar origin. On the contrary, it has been already intimated that the family worship of Greece, Rome, and it may be added China and India, also bears upon it the imprint of a degenerate religion, and that there are reasons to hope that behind its superstitious observances there was once a purer morality of which we still find the traces in the chastity of the family hearth and the lofty moral standard raised by such an institution as that of the Vestal Virgins. There is no evidence of similar family religions in the old Egyptian and Assyrian civilisations. And when we look among the savage races of to-day for confirmation of the patriarchal origin of human civilisation we are confronted with a fact that seems absolutely inconsistent with it—the fact that has become familiar to ethnologists under the name ‘metronymic tribes’ ; that is to say, tribes in which offspring take their name from the mother and not from the father. Behind this fact there is a story of great

interest to all who are interested in the development of society and government.

It has been already suggested that when there was an absence of fierce sexual jealousy promiscuity was likely to prevail in sexual relations ; this is found to be the case among the Tahitians, the Todas, and the Khonds ; and it would seem as though the first step towards some permanence in the sexual relations of a community characterised by feebleness of sexual jealousy would be temporary relations between the sexes permanent enough to escape the charge of promiscuity, but not sufficiently permanent to create any certainty as to posterity ; in such a community, as in some of our most civilised capitals, alas ! to-day, ‘maternity would be a matter of fact, paternity a matter of opinion.’ Under these conditions it would necessarily follow that offspring would take the mother’s name and not the father’s, and in such a community therefore the patriarchal system would certainly not be the starting-point of the tribe.

Not only, then, is Sir Henry Maine’s theory that civilisation started with the patriarchal system contradicted by such knowledge as we now have of existing savage races, but the argument drawn from the animal kingdom and from the sexual jealousy which is the rule there, is contradicted by certain insect communities ; as, for example, those of ants, in which sexual jealousy does not prevent hundreds of females from rearing their families together in perfect peace, though this may be due to the fact that all the males are made to perish in the nuptial flight. It is interesting to observe, however, that in similar polyandrous communities of bees, although the males seem to perish in the same manner at the corresponding moment, sexual jealousy survives, for nothing can exceed the ferocity with which the old

queen stabs every fertile female left in the hive but the one selected to succeed her, and consequently protected by the workers from her onslaught.

All these facts show the danger of dogmatising on these questions, and indicate that both Nature and man have proceeded upon many plans of infinite variety rather than upon only one.

No undeviating rule seems to have been followed in this connection. Some tribes of men seem to have come together like troops of monkeys or jackals—in some cases without any permanence of sexual relation whatever ; in others with sufficient permanence to give rise to a sort of family relation ; in others, again, with sexual relations so permanent as to give rise to a powerfully anti-social religion. We find polyandry prevailing in some districts too poor to support a large population—as in Thibet—and polygamy prevailing in more fertile countries ; monogyny resorted to by almost the lowest savages on the face of the earth, the Bushmen ; monogamy by the highest civilisations upon it. We find exogamy prevailing in some tribes, and endogamy in others ; and although in this confusion of custom it may be impossible to establish any order in time, it does seem to be possible to establish some rule for guidance in the future. For it is obvious that the highest civilisations have been attained by communities which were able to effect a combination of two kinds of self-restraint—namely, the self-restraint necessary to monogamy, and the self-restraint necessary to a slow abandonment of the notions of exclusive property which result from monogamy. In other words, those communities have survived which have combined self-restraint in marriage and self-sacrifice in politics.

By self-sacrifice is not meant necessarily a heroic surrender to a lofty ideal ; it may mean merely the

sacrifice of opinion in conformity to prudence. The essential difference between a community capable of a high degree of socialisation and one not capable of it is that the one is composed of individuals capable of surrendering their opinions, and the other of individuals incapable of such surrender. Now, a sacrifice of any kind, provided it is not a surrender to fear, involves a certain kind of self-restraint ; it may be of a very low kind, but it is nevertheless a resistance to a natural tendency, and this brings us to another element in surviving communities of which we must not lose sight. This element is its fighting quality or courage. For if the individuals in a community can be frightened into concession, they can be defeated in competition with other communities ; but if they have courage enough successfully to fight other communities, and courage enough therefore to stand up for their rights within their own community, and, being possessed of this courage, are intelligent enough to know when and how surrender must be made to the public good, then they are possessed of the three qualities essential to success in the struggle with other communities and essential to progress in their own—namely, intelligence, courage, and self-restraint.

It would be a fascinating and instructive study to take the institutions of every great civilisation separately and examine them with a view to determine how much there was in them of these three things, and especially how much they tended to the maintenance and development of these three ; but this work must be left to another occasion, for we are now engaged in a specific task that must not be lost sight of in too elaborate a study of detail. We have seen how untrue is the theory that the same natural selection which developed the ape developed also the man. We have seen that the development of man is the result of his own efforts in

resisting certain tendencies in Nature, and that in the process he has created an environment essentially different from that provided by Nature. We are now engaged in the effort to distinguish, in the forces which have been at different epochs engaged in the making of this environment, those that were propitious to progress and those that were adverse to it ; and in the course of the inquiry we shall often have occasion to observe that an institution which is at one epoch a friend becomes at another an enemy, and in this respect resembles the shell of the chrysalis, which, though it once served to protect the larva when it needed defence, has at last to be broken up and cast away before the larva can unfold its wings in its final and completest development. We have seen that religion, such as it was in the early days of Greece and Rome, operated to prevent the early development from the family to the tribe ; we have soon to see it, on the contrary, confirming the amalgamation once made, and holding it together with a force probably greater than any other engaged in human socialisation. But the change has been accomplished by the destruction of one chrysalis and the formation of another ; for the human larva is, unlike his humbler brother the butterfly, confined to no one transformation, and then doomed after a glorious flight to sudden extinction. On the contrary, after the fashion of the silkworm, he builds for himself chrysalis after chrysalis, and is gifted with a capacity to destroy each as it ceases to be serviceable to him ; and the qualities by which he achieves this, as has just been said, are those which differentiate him from the ancestor Nature gave him, and these qualities are—not ferocity and instinct, but courage and self-restraint.

Resuming now the more immediate subject of our

inquiry—that is to say, the development of civilisation in Greece and Rome—we are struck by a striking similarity in both, for both advanced by substituting for an aristocracy of religion an aristocracy of wealth. With this difference, however—that while in Greece wealth was surrounded by limitations, in Rome it was set upon a throne, and it remained upon a throne until the evils it engendered brought the Empire to ruin and the people to decay.

Let us begin with Greece.

In Attica during the days of Ægeus¹ there were as many kings as there were families, and it was impossible for such isolated groups to resist a powerful invader; when therefore Theseus had by personal valour relieved Athens from the tribute she annually paid to Minos he sought by a confederation of these

¹ Throughout this historical discussion I use the names Ægeus, Theseus, Numa, Lycurgus, &c., without explaining in every case their possibly mythical character; because, although the particular persons described under these names may never have lived, there is little doubt that the reforms attributed to them did take place, and it is convenient to describe these reforms under the names to which they are respectively attributed. There is, however, an unwillingness to admit to-day that these reforms were effected by individuals which does not seem justified. The tendency of many modern writers is to attribute all political changes to causes that are cosmical, and to deny them to the agency of individuals or heroes. This is fashionable because it seems profound; we are told, in conformity with this gospel, that no one man could have introduced the *quasi-Collectivism* of Lacedæmonia, or broken down the religious exclusiveness of the Roman patrician; and yet we cannot deny that Solon introduced a change in Athens no less radical than that refused to Lycurgus. The welding together of discordant religions in Rome, which this school of philosophy finds it impossible to yield to Numa, dwindles into insignificance by the side of what was accomplished with the Arab tribes by the genius of Mohammed. If, therefore, an apology seems needed for using names which may be mythological, it must not be deemed to include an adoption of the school of philosophy which, in rejecting names, rejects individuals also. To reject individuals in ancient history means to disregard the plain facts of modern times. No one can very well to-day dispute the historical fact that Napoleon made a code and that Mohammed founded a religion.

petty princes to create a powerful State, and by proposing himself to forego in advance all claim to the kingship of this new State he secured an unwilling consent from the neighbouring kings to the arrangement. How little advantage he himself gained from it is told by his exile and death at Scyros ; but before his death he had accomplished one task which proved of priceless benefit to Athens. He created a municipal religion by the institution of the Pan-Athenian feast and the Metecœan sacrifice. A moment's consideration will suffice to give the true meaning to these two institutions. Most historians have described the work of Theseus as a unification of various principalities in *Attica* under the leadership of Athens, and undoubtedly there is authority for this theory of it ;¹ but if we are right in believing that Attic land was practically owned by Athenian citizens, and worked by *thetes* or serfs upon a system of rent-charge, it is clear that Theseus had mainly to do, not with the people of Attica, but with the landowners in Athens.

The feast instituted by Theseus is not Pan-Attic, but Pan-Athenian. Now, if we take this fact in connection with the well-known exclusive domestic religions which kept families apart, it becomes likely that this Pan-Athenian feast was a religious ritual that united Athenian families, although religious ritual had theretofore kept them apart. Again, the Metecœan sacrifice instituted by Theseus is often described as one to which *aliens* were admitted, because the word *μέτοικοι* is used to mean 'resident alien' ; but this Metecœan sacrifice is termed *συνοικία* by Thucydides.² Now, the word *συνοικοι* never was used to describe aliens, but, on the

¹ Plutarch says that the 'great and wonderful design' of Theseus was to 'gather together all the inhabitants of Attica into one town.'—*Theseus*.

² Thuc. ii. 15; Herm. Pol. Ant. § 97, 8.

contrary, suggests the idea of a community¹—a welding together of persons theretofore distinct, as in marriage. And as the word *oikos* is commonly used to mean family,² the Metœcæan sacrifice becomes probably the sacrifice which commemorated the welding together of families that had remained up to that time separated.

But the supremacy of the Athenian princes was maintained and confirmed by the division of the commonwealth into three ranks—the noblemen, the husbandmen, and the artisans—and by the entrusting of religion and politics exclusively to the nobility. The aristocracy therefore, which had been divided by as many anti-social religions as there were noble families in the State, became welded together by a single socialising religion, the exactions of which are, however, responsible for much that hastened the ultimate downfall of Athens, as will soon be made manifest.

But in Athens, as elsewhere, a wealthy and all-powerful aristocracy could not forbear to oppress the people, and here, as elsewhere, the oppression became at last too great to be borne. There is but one issue out of these conditions ; they must come to an end by the subjugation either of the nobility or of the people, and the process must be either through violence or through legislation. In Athens the issue was decided through legislation in favour of the people, and this result seems to be due to the faculties of a single man and the confidence which these faculties inspired both amongst the rich and the poor. To Solon the solution of the issue between them was entrusted, and the political institutions proposed by Solon and consented to by all bear such a striking resemblance to that suggested by the Democratic party in the United States in 1896 that they well deserve a moment's study.

¹ Plato, Rep. 369 c. ² Hdt. v. 81, vi. 9 ; Thuc. i. 137 ; Od. vi. 181.

His reforms were fourfold.

The first was known under the name of Seisachtheia—or discharge of burdens; the modern equivalent of this would be release of land from mortgage indebtedness. The second was a consequence of the first—namely, a debasement of the coinage. The third was a law forbidding the giving of the person as security for a debt; and the fourth was a breaking-up of the old division of nobility, husbandmen, and artisans, and a substitution therefor of a classification based on wealth.

There is, of course, much room for uncertainty and controversy regarding the exact scope and effect of these laws, but there seem to emerge beyond the reach of doubt the following facts:

First, that the patrician class—the *eupatridæ*—had oppressed the poor to the extent of enslaving them.

Second, that Solon had sufficient support in the community to put an end to this oppression by prohibiting the execution of judgments upon the person of the debtor; by relieving debts secured on real estate to the extent of a diminution of interest or even by an absolute discharge; and by relieving debtors, either unsecured or secured only on personal property, through a debasement of the coinage—a gold mina, which had up to that time been equal to 73 drachmæ, being by Solon's law made equal to 100 drachmæ without increase of weight.

Third, that he broke down the authority of the patricians by introducing within their ranks those persons who had accumulated—in commerce, industry, or otherwise—a fortune, represented by an income of five hundred measures of corn—*pentacosio-medimnoi*. And that the two other classes—namely, the Hippadatelountes and the Zeugites, determined by the ownership of the

value of a horse and of a yoke of oxen respectively—were admitted to a share in the government.

How the small share in the government allowed to the poorer classes gradually increased until every Athenian citizen at last had an equal share therein is too long a story to be recorded here; what particularly interests us is the undoubted fact that in the first place a degenerate religion was utilised by a selfish aristocracy to enact laws which promoted the accumulation of wealth, and that in the second place this very wealth was ultimately used by a wise lawgiver to break down the power that had most contributed to build it up.

A similar story can be traced in the history of Rome; it has been well told by Fustel de Coulanges in '*La Cité Antique*', but he perhaps does not emphasise as much as they deserve a few points which it is of interest to note.

In Rome, as in Greece, the patricians sought by the exclusiveness of their religious rites and the hold which superstition had on the minds of the people to keep within the control of their class the political power which in the Roman mind was at first inseparably connected therewith; and, strangely enough, in Rome as in Greece factional quarrels led to the putting upon the throne of a man who, like Solon, was peculiarly qualified for the task of bringing order into a disordered State.

We are told that on one occasion when neither the Sabines nor the Romans could secure the election of what would to-day in the language of American politics be called a 'machine man,' they compromised on Numa Pompilius. Now, the political work of Numa Pompilius combines in some senses that of both Theseus and Solon; for (like Theseus) he created a municipal religion and (like Solon) he relieved the poor. In lieu of the images of earth and wax which every patrician family worshipped at its own hearth under the name of

penates, Numa lifted up to the worship of Rome a 'Supreme Being, invincible, incorruptible, and to be comprehended only by the mind,' and he forbade all effort to represent this being in the form of man or beast. The sacrifices to this being were of wheat and of wine; all effusion of blood was prohibited; and in order to appease the patricians he created four chief priests or *pontifices*—all of whom he selected from patrician ranks—and to these *pontifices* he confided 'not only the care of public ceremonies, but also the oversight of such as offered sacrifice in private, not suffering them to vary from the orders established by law.' And the most beautiful and elevating of all the old domestic rites, the perpetual fire upon the hearth—in the presence of which no immoral act could be without sacrilege committed—he set up in the temple of Vesta and confided to virgins, whose sanctity was such that were they, as, preceded by the *fasces*, they walked through the streets of Rome, to meet a malefactor on his way to execution, he was immediately released.

So far the work of Numa coincided with that of Theseus; but he still had two problems to solve, though perhaps they were both different aspects of one another. He had to relieve the poor, and he had to build up some institution behind which these poor could protect themselves from the oppression of the rich. To this end, without trespassing upon the property of the patricians, he divided the land acquired by conquest among the poor, and he organised the artisans into corporations according to their several trades. Thus he established corporations of musicians, builders, masons, dyers, shoemakers, tanners, brasiers, and potters; and he gave to each a hall, a court of justice, and religious rites.

It was the aim of Solon, as he himself avers, to give

to Athens—not the best possible government, but the best government that the Athenians were able to receive. Numa Pompilius, on the contrary, seems not to have restrained himself by any such consideration. The people were unfitted by ignorance, and the patricians by caste, from accepting the worship of an invisible god ; nor were the plebs yet strong enough to support their corporations against the opposition and contempt of the aristocracy. Numa was permitted to carry out unharmed his ideal and harmless reforms by a nobility that well knew how ineffectual they would be ; but Servius Tullius, another friend of the people and better fitted by sagacity than Numa by inspiration to fight the battle of the poor, paid for his innovations with his life. Servius did not content himself with a distribution of conquered territory among the plebs ; he created out of it four new tribes, which he added to the three already existing, thereby granting to the plebs a political power it had not previously enjoyed. He gave to the plebs a religion that it could understand, with religious festivals (*compitalia* and *paganalia*) and with municipal *lares* in every quarter of the city ; the sacred ceremony of lustration, heretofore confined to the *curii*, was thrown open to all free inhabitants of Rome ; and these last were divided into six classes according to wealth, thus dealing the same blow to the patricians at Rome as Solon had dealt to the *eupatridæ* of Athens.

Servius paid for his reforms with his life ; the patricians recovered their ascendancy and exercised their power with an inhumanity which may be measured by the law which permitted creditors not only to enslave their defaulting debtor, but also to cut up his body and divide the pieces amongst themselves. At last in Rome, as in Athens, the oppression of the poor by the wealthy became too great any longer to

be borne, and they withdrew to a neighbouring hill to constitute, if they could, a new city of their own. But Rome was surrounded by enemies only too willing to profit by division among its ranks ; and the secession of the plebs to the Sacred Mount, if persisted in, would have exposed both patricians and plebs to the vindictiveness of lately conquered cities. The patricians had as much more at stake than the plebs as they had more to lose, and there resulted therefore from this secession the granting by the patricians to the plebs of a further share in political power in the shape of an inviolable tribune of the people. Out of this concession the people succeeded at last in making itself master of Rome ; and, being as little capable of self-government as that of Athens, both surrendered at last—the latter to a foreign conqueror, the former to a conqueror of their own. The fate of Rome, once she was handed over without reserve to an Imperial Court, was sealed. Wealth can for a long time use and abuse the labour of others, but she corrupts those she favours, and the consequence of constituting a society of two classes only—masters and slaves—both of which are unfitted to defend themselves—one by defect of strength, if not of courage, the other by defect of courage, if not of strength—must inevitably be to set reliance upon a paid army, which tends eventually to become a source of sedition at home and of weakness abroad. For the army, though it had made itself master of Rome, ultimately became so little Roman that at the battle of Chalons it was almost impossible to distinguish it from the invader ; there were as many Goths in the ranks of one as in those of the other.

In the above review of the forces which contributed to make and unmake Roman and Athenian civilisation,

we cannot but be impressed by one predominating fact : the story that pervades the whole epoch is a story of oppression. Whether it be a patriarch exercising sovereignty over his wife, his children, and above all his slaves ; or a nobility of birth, bolstered by a false religion, using and abusing a host of *clientes* ; or a nobility of wealth, replacing the nobility of blood, enslaving those who toil for them ; or after a bitter struggle a triumphant democracy proscribing their old masters, the story is one of perpetual struggle for power and wealth, and of perpetual abuse of one and the other.

And the succession of events is strangely similar in both countries. In both countries we see at the outset the same patriarchal system, the same exclusive religion rendering socialisation difficult, the same genius creating a new and wider religion within which to include all the religions of each domestic circle ; the creation of an aristocratic class built upon their control of religious rites, abuse of power so enjoyed, revolt of those subject to it, and the substitution for the old aristocracy built on birth and religion of a new social classification on a basis of wealth ; and last of all, in the new struggle between rich and poor, political power gradually passing away from the rich into the hands of the poor, who, because they lacked wisdom, proved themselves incapable of wielding it.

But striking as may be the similarity between Athens and Rome, not only in their events, but in the order of their succession, the error of drawing too general a conclusion from this similarity suggests itself, if we turn our eyes a moment away from them and direct them to a State which played for a time as important a rôle in the struggle of nations as Athens did, and presents to Athens a contrast so striking that one cannot but be amazed to think that two States so near

to one another in kinship, in time, and in space, should have differed from one another so completely in political construction.

At the outset the institutions of Sparta were strikingly similar to those of Athens. We observe the same patriarchal aristocracy, the same exclusive family religions, the same oppression, the same discontent. But Lycurgus—not satisfied, like Solon, with framing the best government the people could receive—undertook, like Pompilius, to impose upon them one framed on a higher ideal than they were at that time fitted for. Communism was doomed to share the same fate at the hands of the Lacedæmonians as Christianity at the hands of the Roman Empire. As when new wine is poured into old bottles, the bottles burst and the wine is lost. Not only was there an unfitness in the people for the institutions imposed upon them, but these institutions were irreconcilable with the conditions that prevailed at that period. Just as the pride and pomp of an Imperial Court were inconsistent with the poverty of spirit enjoined by a carpenter's son on fishermen of Galilee, so was the peace-loving and justice-seeking spirit of Communism inconsistent with the fierce militancy which Lycurgus enjoined upon the Spartans, and which was essential to the survival of a State at that time. Indeed, Spartan institutions were framed with a view of crushing out the very qualities upon which a Communistic Constitution must depend. Love, gentleness, justice were deprecated as effeminate; ferocity, successful stealth, inhumanity to slaves, were tolerated and even fostered in their place. From another point of view also the experiment of Lycurgus was doomed to failure. He had observed that wealth was a source of discontent and discord, and, making no distinction between individual and national wealth, by the substitution of iron coinage for gold he destroyed

both. Now, national wealth is as indispensable to successful warfare as individual courage. This was as true in those days as in ours ; for Alexander the Great said that Empire was to be purchased by money, not money by Empire ; and the failure to take due account of this fact was enough alone to account for the ultimate submergence of Lacedæmonia. Candour, however, compels the admission that Communism proved a failure in Sparta long before its defeat by Thebes ; but to expect that it could succeed under the conditions that prevailed then was as vain as to hope that a religion which taught self-sacrifice and self-restraint could flourish in an Empire the institutions and habits of which set every citizen upon self-gratification and self-surrender.

Now, the alliance between the Christian Church and the Roman Empire already alluded to is the next and last historical event which we shall have to consider before endeavouring to reach some conclusion regarding what government is, what are the forces engaged in its operation, and which of them contribute to advance and which to retard the happiness and progress of the race.

So far as we know, the religions that primitively prevailed in Greece and Rome were essentially religions of the rich, used by the rich to oppress the poor, and extended to the poor only in order to keep them in subjection. Now, the religion of Christ was essentially a religion of the poor—taught to them, not in order to enable them to shake off the yoke of the rich, but rather to permit of their bearing that yoke patiently. In this respect it differed so profoundly from the religion of the Roman Empire that the educated Roman was unable to understand it ; and because he could not understand it, he hated, despised, and persecuted it. The very patience with which the Christians endured persecution was exas-

perating. An oppressor hates no men more than those whose virtues always put him in the wrong ; and virtue is never so contagious as when its courage is crowned by martyrdom. At a time when persecution was proving its impotency to suppress a religion that increased in proportion as it was trampled upon, there came to the Roman purple a man who had the intelligence to understand that a State which was rotting through the corruption of its officials on the one side, and tottering through the sedition of its citizens on the other, could not but gain by substituting virtue for vice in governors and governed alike ; for corruption had reached such a point in the Roman Empire that it seems amazing that a State so corrupt could any longer at all hold together. It is not surprising therefore that Constantine should have looked to the Christian religion for a virtue which patriotism was long since become too corrupted to provide. Nor was it possible for him, any more than for the Christian Bishops of that period, to foresee that Christian officials of a Roman Empire must eventually either cease to be officials or cease to be Christian. To both Bishops and Emperor an alliance between Virtue and Empire must have seemed an unmixed benefit, and Constantine was the least mistaken of the two. For a time the public service could not but be improved by the admission to its ranks of honest and upright men, and by the conversion of Roman citizens to a religion that taught obedience in public and rectitude in private life. But there was an inconsistency between the competitive system of Roman civilisation, the necessary offspring of which are discord and hate, and a religion that taught concord and love ; and this inconsistency must end in the destruction of one or the other.

The struggle did not last long. After the first expulsion

of Christians from office during the reign of Julian, and their return to office under the reign of his successors, only very few years elapsed before corruption in office became once more so rank that Valens and Valentinian found it necessary to resist it ; to this end, amongst other things, they instituted the office of *defensor urbis* ('defender of the city'), elected by the people for a longer term than other officials, whose special duty it was to protect the people from the dishonesty and oppression of the Imperial service. But such an institution was as vain as though the people of New York under a Tammany *régime* were asked to elect an officer to protect them from Tammany misrule. As long as Tammany controlled the machinery of the elections, such an officer would be selected as certainly by Tammany as the other municipal officers. Once the machinery of government is in the hands of corrupt men, it cannot be improved by adding to it another useless wheel ; the only salvation for the city then lies in that part of its citizens that is not corrupt, if happily there be such therein. Now, there was no such hope of salvation for Rome ; the people had become corrupt ; and amongst the people must, alas ! be included the countless thousands who, before the reign of Constantine, had led lives so holy and so pure that for all time no higher example of human virtue can ever be held up to the reverence of men than that of the early Christian Church. And yet this early Christian Church included no insignificant part of the population.

Our own contemporary history has shown what a committee of fifty or a hundred men resolutely bent on defeating dishonest government could do when pitted against political machines that controlled votes numbering more than a hundred thousand. It is a mistake to suppose that it requires many honest men to overthrow

a dishonest government; for there is no aristocracy so necessarily exclusive as the ring that undertakes to rob a city or a State. To reward so dangerous a conspiracy the spoil must be considerable, and no spoil can afford a division too minute. While therefore the spoliators will always have on their side not only those who actually share in the spoil, but those who hope one day to do so, they have pitted against them the vast number who are despoiled, and that not inconsiderable group whose hopes of spoil have been disappointed. Had therefore the leaven of Christians which was drafted by Constantine into the service of the State been true to the doctrine of Christ, or even adhered to so much of His doctrines as taught the principles of the most ordinary honesty, that leaven might and should have saved the Roman State. But it did not remain true to the doctrines of Christ, or even to those of common honesty ; it disappeared in the vast slough of Roman vice, and in the place of Christian morality there emerged the Christian Church.

The fact that Christian morality proved unable to stop the decay of the Empire does not, however, in any way depreciate its immense power in developing the moral sense of man. Christ Himself has said that there was a soil in which the Divine Word could find no root ; but little though may have been the impression made by His teaching on the Roman State, it has nevertheless been preserved for us through the Dark Ages till to-day. How this has been accomplished, and to what extent, would involve us in the study of a later historic period than is necessary for our immediate purpose ; we shall therefore confine ourselves now to a brief comparison of the morality of Christ with that which preceded Him, and then to a brief contrast between the conduct taught by Him and that which is alone compatible with the

environment that man had at that time made for himself. We shall then have marshalled together the historical facts which we need for coming to some preliminary conclusions regarding the nature and function of government.

The morality of Greece and Rome—that of other nations being purposely omitted in order to avoid digressions that would interrupt the line of argument—was essentially domestic. It is unnecessary to repeat what has been already said on this subject; we need but add to it the following considerations: The word *pietas*, which corresponds to—though it is far from being identical with—our word ‘piety,’ is confined to the mutual duties of parents and children; it is not extended to the stranger; it is not extended to all relations by blood (*cognati*) or to any by marriage; it is confined to those relations which come within the narrow scope of *agnati*; it is not even extended to God. Within the narrow natural and later artificial limits of the family are included all those duties imposed on the founders of civilisation in Greece and Rome. This narrow foundation gave rise to a correspondingly narrow morality. Priceless though may have been the value of religion in determining the relations of the sexes by marriage, in inculcating self-restraint, in preserving chastity, in strengthening the bonds of affection that should unite a family by adding to them the bond of religion, it is obvious that outside of the family circle there was at first no moral law whatever. As the patriarchal families were united to form a State, and were reluctantly forced to extend their religious rites to all the citizens of the State, there grew up a reverence for the *Res Publica*, which became all the more strong because it was strengthened by a national religion on the one hand

and a courageous and self-sacrificing patriotism on the other. Indeed, patriotism became in Rome so exaggerated that it seemed at one time to crush out all that was tender in the human heart. So alien is this Roman patriotism from our own that when at the Théâtre Français we see the survivor of the Horatii stab his sister for reproaching him with the blood of her lover, it elicits in our modern hearts sentiments of disgust rather than admiration. And this fierce patriotism was coupled with an inhumanity towards strangers no less revolting. War in those days knew no mercy ; the lot of the conquered was death, or slavery that was often worse than death ; charity is a word that is not to be found in the Roman vocabulary. There were no poor in Rome, for the poor were slaves ; and how little slaves were protected by the law may be measured by the fact that one patrician was known out of pure wantonness to slay them and use their flesh to feed his carp.

It would perhaps be impossible to imagine a morality which would offer a more striking contrast to this than the one taught by Christ. Piety, according to Him, is extended from the petty tyrant of the family to 'our Father which art in Heaven' ; love, from the narrow limits of the domestic circle to every living fellow-creature. In the place of battle He preached submission ; in the place of haughtiness He taught humility. But I shall not vie with the eloquence of nineteen hundred years in attempting to contrast the fulness of Christian charity with the limitations of Roman *pietas*. Suffice it to dwell for a moment upon one more contrasting feature, with which this branch of the subject will be closed.

The religion of the Roman was consistent with his whole life ; this life consisted of a perpetual conflict with the enemy of his city in battle, and with the

enemy of his home in that daily struggle which the Manchester School glorifies under the name of the 'competitive system.' His religion taught him to defend his city with his life, and to defend his home with his purse ; and while his life was forfeit if he failed in the one, his purse was forfeit if he failed in the other. The religion of Christ, on the contrary, was absolutely inconsistent with the plain duties of every Roman citizen. The competitive system cannot be reconciled with the spirit that underlies the injunction, 'If any man shall . . . take away thy coat, let him have thy cloak also,' or patriotic lust of conquest with that other rule, 'But whosoever shall smite thee on thy right cheek, turn to him the other also.' And so, as has been already said, an alliance between Christian morality and the Roman Empire was destined to be fatal to one or both. As a matter of fact Christianity did not save Rome, but Rome perverted Christianity.

Perverted, but not destroyed ; for the alliance, from which Christianity suffered much, did nevertheless set it upon a throne so high that it overtopped that of the Emperor himself ; and under this powerful protection the Christian Gospel was preserved, not only in the letter, but in the lives now of anchorites in the Thebaid, now of monks in cloistered communities, and most of all perhaps in the lives of those few men and many women who were protected from the competitive struggle in which the true Christian spirit is so inevitably strangled. For at all times and in all places there is a fraction of the community which is sheltered either by temperament or by occupation from the scramble for wealth ; and through these at least the light that was set burning by Christ has been preserved pure and undefiled. So it has happened that the Christian faith, though much obscured by dogma and hampered by ritual, has

survived even the rapine, murder, and lust of the Borgias; and through the Catholic Church—if I may venture to include in these words not one Church only, but all of them—is slowly preparing the minds of men for political institutions that will promote the reign of love, and not hinder it. Then Christian morality will have paid the price of its alliance with a Pagan Empire, and it may be possible without unconscious hypocrisy to practise its Gospel as well as to profess it.

It may seem capricious and insufficient to select these fragments out of the whole history of the world prior to Constantine, and endeavour to build a theory of government upon so imperfect a foundation. But a moment's consideration will serve to explain this apparent anomaly.

In the first place, man has been for the most part driven by instinct or habit, and only occasionally guided by wisdom or purpose. The story of his comings and goings during the instinctive periods are as little instructive as would be the story of the movements of waves upon the trackless sea. It is when purpose has taken up the reins of human conduct that its successes and failures become of interest to political students, because it is at these periods that human effort in the past can serve as a lesson and as a warning in the future.

In the second place, the sketch in question, though slight and fragmentary, is sufficient in its outline to contrast the consequence of deliberate attempts to constitute government in those communities which have had most to do with the framing of subsequent constitutions in our Western civilisation. We are grappling to-day with practically the same problems as distracted the republics of Athens and Rome, and some are

advocating something of the same system as proved a failure in that of Lacedæmonia.

In the third place, the three fragments selected illustrate three singular experiments: the Roman, which built empire upon capital without regard to labour; the Athenian, which compromised between capital and labour; and the Spartan, which eliminated capital altogether.

In the fourth place, they illustrate the power of intelligent State intervention. They suggest that it can accomplish much; that it created a State of great power in Sparta, in spite of her poverty; that it gave birth in Athens to a vitality which, in view of the strong anti-social forces at work there, has probably never been surpassed; and under more favourable conditions created an empire in Latium which, had it been more wise and less cruel, might have lasted longer and have proved in its downfall less detrimental to the race.

We are studying the effect of conscious effort in government, and contrasting it with that of unconscious Nature. It is from this point of view that these fragments of human history have been selected. The rest of it is for the most part the clashing of fierce instincts—

A tale told by an idiot,
Full of sound and fury—signifying nothing.

BOOK III

GOVERNMENT

CHAPTER I

WHAT IS GOVERNMENT ?

THE incidents collected in the preceding pages out of the history of civilisation up to 825 A.D. are intended to permit of our drawing some conclusions as to what government is, based not upon pure speculation such as characterised the writings of Rousseau, but rather upon uncontrovertible facts ; and facts not picked out to serve a particular bias or bolster a particular theory, but rather selected in the undivided effort to assemble all our necessary material first and build our political science afterwards, and not build our political science first and collect our material afterwards.

I. Now, the first fact that must strike us in the endeavour to come to some conclusions on this subject is that government is in one sense no invention of man ; for it is impossible to observe the habits of any animals or insects which live in communities without concluding that they are governed by an unwritten code, which increases in differentiation according as the community itself is advanced in structure. So that if we examine

the habits of a nest of ants, we shall have to conclude that they have a scheme of government more differentiated and better enforced than that of most of our savage races.

II. The next fact that it seems pertinent to notice is that the code of unwritten rule which prevails in animal communities resembles that which prevails amongst savage races in the force which keeps this code alive ; it is not the force of a king,¹ or of courts of justice, or of police ; it is force of habit. The Iroquois would be at a loss to explain why they are metronymic ; the Wood Veddahs, why they are endogamous. They might, if asked, offer some grotesque and outrageous legend as a reason ; but the real reason would remain—force of habit. It is not till government becomes the result of conscious deliberation or of some dominant personality that this force of habit is broken through and new conditions prevail. The extent to which habit still rules our lives has already been insisted on ; it is referred to now because it is important in concluding what government is, to keep clearly in our mind two points about habit. In the first place, the vast majority of our fellow-citizens remain a part of the society into which they are born by pure force of habit—without a question, far more without resistance.² In the second place, it is at the moment when this blind, unreflecting force of

¹ An error underlies the use of the word ‘queen’ in communities of bees ; the so-called ‘queen-bee’ has less authority than any bee in the hive ; she is a prisoner, and compelled to do what the workers determine. For example, every effort on her part to destroy her female progeny is successfully thwarted until her successor is impregnated.

² This is becoming less so every day, and is probably less so in the United States than in any other country in the world ; but what is still in large part true of us is true in still larger proportions as one proceeds from higher to lower civilisations, until, when we come to the lowest, we can say that it is true not only of a majority but of practically all

habit yields to deliberate, purposive conduct that savagery ends and civilisation begins ; for it is then that man parts company with the lower animals, and ceases to be unconsciously subservient to the natural instincts to which up to that time he had been blindly subject.

This brings us, then, to one of the characteristics of human laws of association which distinguish them from those of the lower animals, and enables us therefore to set down one of the essential features of human government :

Human government is purposive, not merely instinctive. It is the result of intellectual effort, not that of mere habit ; and it is intellectual effort engaged in making its own environment, and no longer the unconscious result of the environment furnished by Nature.

In so far, then, as human government is due to the herding together of men and women out of consciousness of kind, or under the unconscious impulse of fear or hunger, it is no other than that which drives wolves to hunt in packs, deer to herd, and ants to cluster in subterranean communities ; but the moment that it is due to conscious effort it has assumed one of the peculiar characteristics of human art, and is on its way to the elaborate political constitutions which have obtained to-day.

III. A third fact which we have to recall is that although the communities of the lower animals offer almost as many different systems for settling domestic relations as men do—metronymic, patronymic, monogynic, polygynic, mono-androus, polyandrous—there is one solution that is peculiar to man, and this solution is peculiar also in the fact that it is the one that involves the greatest self-restraint, and has probably for that very reason survived all other systems in our leading civilisations—monogamy.

IV. Now, when to the self-restraint involved in monogamy, as distinguished from monogyny, and the intelligence necessary to purposive as distinguished from instinctive association, there is added imagination, all the qualities are combined which are necessary to inventing religion or receiving it.¹ And the fact which we have to note in connection with religion is that the governing class seems to have used religion as an instrument to perpetuate government for the benefit of the governing class. Religion may not always have served this purpose; on the contrary, it may have served an opposite purpose—that is to say, government for the benefit of the governed—and is certainly destined to serve this opposite purpose when religion and government shall have become united in political justice. The fact to which attention is drawn, then, is not that religion always has or always will serve to prop up the governing class, however unjust the government; but that it *has* generally done so, and can be used to do so again; for it will be seen that the alliance between an oppressing oligarchy and a mistaken religion has given rise to a great deal of the confusion which still prevails on the subject of government.

V. The next point which we shall want to dwell on a little is the fact that every important step in the development of government is associated with the name of some one man; so that we have a calendar of law-givers, every one of whom is handed down by tradition as the author of the laws enacted in his time. We arrive here upon a ground of controversy from which unfortunately we cannot escape; for it is a matter of no small

¹ I am careful to use both the words ‘inventing’ and ‘receiving’ so as not now to involve myself in the religious controversy whether religion is invented by man or received from God.

importance to decide whether the advance of the race has been effected by a few men of genius, or whether on the contrary it has been effected by a slow and imperceptible improvement in the whole race, of which a few fortunate as well as gifted men have monopolised the renown. For if we are to come to any conclusion regarding the character of the environment we should by political institutions tend to create, it is essential that we should decide whether this environment ought to be one that will tend to produce a few men of genius, or whether it ought to be one that will tend to produce a general improvement throughout the entire population. Now, in this case it may be well to do as we have done before : study the plan adopted by unintelligent Nature, and then abstain from following it. For Nature's plan in this respect may serve no less as a warning to us than in that savage predatory system of hers which the Manchester School still extols under the euphemistic designation of 'the competitive system.'

That part of Nature's plan which we have to study in this connection has been already referred to under the name 'variability.' We shall have now to give to this obscure subject a somewhat closer attention.

We have already had occasion to refer to 'sports,' and to explain that when a 'sport' is particularly adapted to the environment it perpetuates its peculiarities, and is termed 'a new variety.' Not only has this process been seen to take place in Nature, but it is artificially helped by every breeder ; so that the taste of man has created an environment which has completely altered the shape of cattle and domestic animals, even to the extent of producing a type of sheep with such short legs that it is prevented by this peculiarity from easily jumping over fences.

If now we endeavour to form to ourselves an explanation of the design which seems to underlie animal

instinct, we seem reduced to the theory that those animals and insects which exhibit such instincts must have given birth at different periods of their existence to intelligent sports—that is to say, to individuals infinitely more intelligent than the rest of their kind—and that these intelligent sports improved upon the habits of their fellows, and that the improvements thus made were handed down, partly by education, partly by heredity, until they became a part of the fixed habit or instinct of the race.

This explanation seems to find some support from what we see to have taken place in the early history of man. At a time when a much larger proportion of the population was more servile to habit than to-day, we find them being drilled and driven in vast armed masses against one another by the genius of a comparatively few men. The history of Assyria and Egypt is little more than a repetition of this monotonous and savage story ; the sport that a military environment favoured was a sport specially endowed with military genius. Later on, in civilisations which were founded on domestic or social virtues, the sport favoured by the social environment was one especially endowed with social and organising genius ; and if there is room for doubt how far the civilisations of Athens, Rome, and Sparta were due to the genius of individuals, let us consider for a few moments how profoundly the histories of these three States were determined by the genius of three men. Solon, perceiving economic conditions to be mainly responsible for the discontent of that day, with no gentle hand robbed the wealthy in order to give to the poor, and by a rough equalisation of fortunes left Athens to fight out the question of political power comparatively unaffected by that of wealth. Servius Tullius, on the contrary, not daring to touch the question of wealth, except to a degree

insignificant compared to its magnitude, left successive generations to fight over wealth as well as political power, and the unsolved problem of wealth became at last the ruin of the State. *Latifundia perdidere Italiam.* Lycurgus, on the other hand, by his single and almost unsupported genius diverted from Sparta for centuries the demoralising struggle for wealth, by imposing upon it a communism which, if ill conceived in detail, set up a standard higher than has ever since been by any statesman attempted. Here are three men whose wisdom *plus* and *minus* determined the destinies of three countries—not during their lives only, but for centuries after they had ceased to live.

The process employed by Nature, then, amongst the lower animals, and continued in the evolution of man until he had substituted for it his own, seems to be by variation to produce sports, of which those favoured by the environment perpetuate themselves by heredity, habit, and education ; but this process, like all those of Nature, is attended by manifold disadvantages.

In the first place, like the rest of Nature's plan, it is abominably wasteful. Not only is she stingy of the exceptionally gifted types which serve to advance or adorn the race, but of those few only a small part are allowed by environment to exercise their talents. Consider for a moment how exceptional were the conditions which permitted Solon to enact his laws ; how careless of his work were the contemporaries of Shakespeare ; consider the 5*l.* paid to Milton for 'Paradise Lost,' and Newton's life-work nearly destroyed by his little dog Diamond. If we put by the side of the rarity of genius the multitude of accidents to which the works of genius are exposed, we cannot but congratulate ourselves that their work has come down to us at all. And if any be found to contend that this is no longer

the case in so enlightened an age as ours, let him visit the studio of perhaps the greatest painter of the day. He will find it crowded with portraits, in every stage of completion, of men and women lifted into prominence by wealth. What he might have painted no man will now ever know ; what he is by wealth to-day doomed to paint is, alas ! too sorrowfully obvious. And what is true of art is true also of literature,¹ and is doubtless true more or less of every occupation which, but for the crushing standard of money, ought to tend to our uplifting.

In the second place, the system of Nature gives equal if not superior opportunities to sports which, by their intellectual genius and moral depravity, are often a detriment to the race as well as a benefit ; and in this connection I need but mention three names—they were borne by very different men : one played for empires on the battlefields of Europe, another for millions in the railroad and telegraph systems of the United States, and the other for political plunder in the purlieus of New York ; but they all three had a genius of their own, and they all used it for their private benefit—Bonaparte, Jay Gould, and Tweed. It might be interesting to consider, after the grotesque mention of these three names, what political opportunity there would be in New York to-day for Solon, or in the United States for Lycurgus, or in the world at large for Him who once said ‘I am the way,’ and at that time found men to follow Him.

And so Nature is not only miserly as to the genius she bestows on the world, but wasteful of the little she does bestow ; and she is as willing to promote the genius

¹ I am disposed to add an American poet who once promised greatly ; he is compelled to write novels for his daily bread. As he has the gifts of a poet, and not those of a novelist, the environment has killed a genius that was rare to swell a multitude that is already too numerous.

of evil as the genius of good. For only one kind of genius does she show a special predilection, and this is the genius of oppression. Until men took the question of environment out of her hands, the power to conquer, to enslave, and to destroy was that which a natural environment countenanced the most ; and this is one of the reasons why the earliest nations—that is to say, those most nearly allied to Nature and least improved by art—were most often at war and gave birth to the most uninterrupted succession of conquerors. Those civilisations, on the other hand, which were founded on the domestic virtues, and in which therefore the social mind was the more largely developed, created an artificial environment which favoured the genius for socialisation ; and so, while the history of the East furnishes us with a long list of conquering Pharaohs, of Nebuchadnezzars and Cambyses, the Western, on the contrary, affords also the work of a Theseus, a Solon, and a Numa Pompilius.

Now, there are two ways in which we can consciously affect the operation of variability in our race. We can subject it to such a uniform habit of thought and action that every individual will be as like every other as two ants. This process has already taken place to a considerable degree with the Chinese ; it, as it were, nips variability in the bud, and tends to prevent it from taking place at all. Or we can create such an environment that it will tend to destroy all variations that do occur ; this, too, has doubtless taken place also with the Chinese, and is taking place all the time amongst savage races. No genius could live among the negroes in Africa, or, if he did, he would neither produce nor accomplish anything.

Bagehot¹ has gone fully into the effect of over-

¹ *Physics and Politics.*

drilling upon a race; so his argument will not be repeated here. Suffice it to note that there is a kind of government that will tend to destroy variability by destroying the Individualism that produces it. A purely military government would do it, or one that is despotically bureaucratic. And this is one of the objections raised against Socialism; for Socialism in the minds of some people is equivalent to a sort of universal slavery subject to some strange, invisible, tyrannical power called the State. Whether Socialism is necessarily destructive of Individualism, or whether it might not, properly understood and intelligently carried out, be the highest development of it, will be discussed later. We must content ourselves with making the important admission that anything that will destroy Individualism, in the best sense of the word, and consequently diminish variability, would be fatal to the progress of the race.

But it is just as fatal to the race to create an environment that will crush out every type, save that which, blind to every interest but its own, has become specifically adapted to the accumulation of wealth and correspondingly unadapted to any other occupation; such environment, for example, as is expressed by the fact that a man who devotes his time to anything that has no pecuniary result attached to it is looked upon by the alert men of the day with a sort of amused contempt, so that, while they will not scruple to use him--as at certain contingencies they do--he nevertheless remains to them something outside of practical life, and is generally disposed of in after-dinner conversation as a 'crank.'

It seems very questionable, then, whether we have yet solved the problem how by our political institutions to favour the kind of variation in offspring which will

favour the progress of a race, and how at the same time to create an environment that will favour such variations when they occur. The method pronounced by some modern political philosophers as the best to secure variation is the industrial system, which by the stress and strain it puts on the race prevents the uniformity which we observe in savage races on the one hand and in the more civilised Chinese on the other ; and I cannot think that advocates of Socialism have sufficiently considered the strength of this Individualistic argument. I think there is an answer to it, but this answer cannot be usefully suggested until we have continued our historical sketch to the present time. It may be wise, however, to point out at once that if the industrial system does produce variability, it also creates an environment which not only fails to favour progressive types, but is to a great degree absolutely hostile to them. For the industrial system has substituted for Nature's struggle for life another struggle—the struggle for wealth ; and it is open to question whether this struggle for wealth is not as demoralising, if not more so, than the other.

It would be unfair, however, to our modern conditions not to recognise that there are other forces at work which tend to create an environment favourable to progressive types through the very human and very artificial system of free education ; but it is interesting to note that this system is denounced by the great modern apostle of Individualism,¹ and that the struggle between Church and State has stripped our American education of all morality—so that the effect of it may be to create citizens with that little knowledge which is pronounced and admitted to be a dangerous thing, and with an absence of virtue which is still more dangerous.

¹ Herbert Spencer's *Sociology*.

But we must leave the effort to arrive at a conclusion on this subject to a later chapter, and content ourselves with emphasising the following conclusions :

(a) Ancient history seems to resolve itself into the history of a few men ; modern history is, or tends to be, a history of the people. It is possible that this difference is due to lack of historical documents and the tendency of historical writers to dwell on the picturesque achievements of the few rather than the less interesting development of the many. But when we consider the inevitable tendency of the mass, in the absence of enlightened education, to follow rules of habit, it seems likely that the prominence of heroes in ancient times is not due to historical defect ; but that, on the contrary, as the mass becomes enlightened, it will cease to follow as blindly as before the leadership of individuals. On the contrary, it will start institutions of its own—as in the Middle Ages the corporations and the Trades Unions in our own time—and institutions will do for the race in the future what heroes and legislators did for it in the past.

(b) In ancient times the best political institutions were clearly the result of human sagacity—generally that of individual men put into power through the struggle for political power between the aristocracy and the people.

These political institutions lived and died according as they were within the comprehension and capacity of the communities upon which they were imposed. Some very noble institutions were strangled almost at their birth ; some very bad ones lived and flourished, but in the end strangled the State which had tolerated them.

(c) So that at this distance of time it becomes impossible to state with any certainty to which influence

ancient States owed most their progress or decay—to gifted individuals, or to a changing popular character—but we can say that then, as now, variability and environment both played a *rôle* so equally essential that it is difficult to attempt to decide between them: and yet it seems likely that the hero played a more important *rôle* at the time when the masses were more slaves to habit than they are now.

VI. The sixth point in Greek and Roman civilisation which we would do well to mark is that all their political institutions seem to result directly from two kinds of struggles: the struggle for life between one city and another, the struggle for wealth between one individual and another. These two struggles, which are still going on to-day, give rise, in the language of politics, to two policies: external policy and internal policy. Let us study the character of the second of these two struggles a little more closely:

The word 'wealth' is perhaps used in a slightly misleading manner until explained. The real struggle under our social conditions is not for wealth only, but for consideration also, and for political power. But as wealth brings consideration, and both bring political power, and as it would be awkward and cumbersome every time this struggle is mentioned to refer to it as the struggle for wealth, consideration, and political power, the first word of the trio will be used for the purposes of this discussion to include all three, as indeed to the extent to which the competitive system prevails it generally does.

Now, the family group, as we first observe it, is not confined to the immediate members of the family. It early becomes obvious that in the conflict between families, those came off best that were the most numerous; and so the families which survived are found to be

those to whom the promise to Abraham was fulfilled, and whose seed multiplied as the sands of the sea. The more numerous a family was, the more complex became the domestic relations ; something like a code of unwritten rule must in such case inevitably have come into existence. And as one family overcame another in the external conflict, the usefulness of numbers having declared itself, it became an obvious expedient to abstain from slaying the conquered and to enslave them ; so that, the domestic and agricultural drudgery being accomplished by slaves, the men of the family might have more time to devote to the perfection of their arms and to the art of war. Clearly those families which knew how to subdue and keep in subjection the greatest number of slaves could cultivate the largest areas of soil and pasture the largest flocks, and so the wealth and power of the family were increased in proportion to their intelligence and power of command.

Now, the power of command is one that must not be lost sight of in considering the forces which are engaged in constituting government, for it is one of the most potent of them. And while it seems naturally to belong to some men and to be born in them, in most cases it is due to a habit. In other words, habit of command creates a power to command ; for the habit gives a manner, and the value of manner is at the foundation of all the ritual and pomp which prop up government.

And to the habit of command there grows up a corresponding habit of obedience ; so that Aristotle felt justified by it in contending that some men were by nature slaves.

A patriarchal family therefore consisted of a head, or *paterfamilias* ; a wife, lifted up in both Greece and Rome by a domestic religion to a position of authority and respect ; sons, grandsons, and great-grandsons, all exer-

cising some measure of command, and acquiring by the habit of command the imperious temperament which characterised the patrician class. On the other hand, there were attached to the family a host of slaves in every degree of subjection—from the menial that obeyed the lash, to the steward who was in the secrets of the domestic circle—all of these through habit of obedience contracting the servile temperament which so long marked the Roman plebs.

When these patriarchal families were induced—partly through the genius of a lawgiver, partly through a consciousness of danger from surrounding foes—to unite into a city or State, they found themselves forced to restrain the imperious instincts contracted through generations of command. The communities in which this restraint was practised were the ones which survived and left behind them a record of their history; those in which this restraint was not practised became an easy prey, and left no record save that of their defeat.

Here, then, we can trace the second great step in self-restraint which rendered advance in civilisation possible: the first was that exercised through the observance of marriage, the second is that exercised through the toleration of government.

Now, just what form government was to take, and who was to exercise it, became questions which every community had to decide for itself, and in the solution of it every family put forward its claim, whether built upon descent, religion, or force. With the details of petty intrigues we have little to do; but they serve to illustrate and suggest some important differences between the family and the State upon which we cannot too much insist.

(a) Mr. Herbert Spencer has frequently pointed out one of them: in the family, services are given without

consideration for services received ; whereas in the State services are not given without consideration for services received. For example, infants are reared and educated without regard to services which they are clearly unable to render ; whereas in the State every man is supposed to render a service in exchange for service rendered by the State. This difference, however, becomes smaller in proportion as it is examined. It is true that in the family services are rendered to infants before they can render service in return ; but it may be added that services are expected in return, and are generally rendered in the end. Again, the custom in some places prevails of killing female infants who cannot render service, or in others of selling them when they grow up. Nor is it strictly true that in the State no man is supposed to receive services without rendering them ; it certainly is not true of those who have inherited wealth, and it is conspicuously untrue in the case of those rich men whose ingenuity is chiefly exercised in robbing the State by dodging taxes.

It would seem more correct to characterise the differences just mentioned by the fact that affection is a *primum mobile* in the family ; whereas it is conspicuous, except during periods of patriotic fervor, by its absence in the State. Nor is the State of which this can be said to be congratulated on that account ; and yet of which of our modern States is it not true ?

(b) Another important difference between the family and the State is that the members of a family are born into a habit of obedience to its head, whereas the patrician members of a State are more often born into habits of disobedience to its head—as, for example, the children and partisans of a dethroned king or of a family whose claims to the Throne or to office have not been recognised. The capital importance of this fact is that the

governing body is divided by it, and is thereby rendered less able to keep the subservient mass under control in the State than in the family.

(c) And the third difference bears in the same direction. Whereas the slaves of a family can be kept in check by the unity of the governing body, and by the undisputed power of life and death over them, the moment families become united in States, not only can discontented slaves find protection amongst jealous neighbours, but the slave population becomes gradually the matrix in which is formed an entirely new class destined to play a tragic *rôle* in the State. For, beginning with the slave who remains on the lowest rung of the ladder, we gradually find the gap between himself and his master bridged. Next to the slave comes the freedman ; and next to the freedman come the issue of unauthorised marriages ; and next to them come conquered neighbours not actually enslaved ; and next to them come strangers admitted to the city, at first with reluctance, but with the increasing need for large armies more liberally later on ; so that at last there stands between the master and the slave a population so large that whole quarters of the city are set apart for it—as in Rome the Capitoline and afterwards the Aventine Hill. Then the intrigues and petty conflicts between patrician families give way to that larger struggle between the patricians and the plebs, which, translated into modern language, has become that between the wealthy and the poor.

VII. Keeping in mind the three differences between the family and the State which have just been pointed out—namely : First, less unity in the governing class of the State, a diminishing power to command, and a diminishing ability to keep the subservient class in subjection ;

secondly, greater diversity in the subservient class ; a diminishing habit of obedience, and an increasing ability to resist oppression ; and, lastly, the absence of affection in the State and the substitution therefor of the hatred which necessarily attends perpetual conflict—let us study the effect of this conflict in the development of law.

It has already been pointed out that primitive law in Rome, and indeed in Greece and India, was not founded upon the notion of justice, but upon that of religion ; and that religion seems in those times more concerned with appeasing jealous gods than reverencing worthy ones. For example, there were certain religious observances connected with the burial of the dead a failure to comply with which was believed to bring disaster upon the offending family ; out of these funeral observances there sprang a priesthood, a shrine, and a code of ritual, respect for which became as characteristic of a Roman family as respect for the bread and wine which has become the body and blood of Christ is characteristic of the priest at whose bidding the miracle of transubstantiation is believed to have been performed. Without repeating what has been already said on this subject, the point to be retained in the connection is that from the outset the patrician class, in framing its laws, was not so much concerned with the question of justice as with the preservation of religious rites, the accommodation of these rites to social life, and through control of them with the maintenance of control also over the subservient masses. As the subservient masses acquired strength and became indispensable to the patricians, not only for the drudgery and work they did, but also for the arms they brought to the defence of the State, the patricians were compelled to surrender their political power little by little ; and this surrender of poli-

tical power took the shape of legal rights demanded by and reluctantly granted to the plebs. In this struggle we find the patricians perpetually referring to their religious privileges and to ancient tradition in defence of their rights, and the plebs as often appealing to what, in contrast with the highly artificial legal system then existing, they called their natural rights—or the law of Nature—the term so long and so erroneously employed to designate the dictates of justice.

In the course of the struggle we continually find individuals setting up a high moral standard, and the plebs supporting the standard because its effect was to wrest power from the oppressing patricians and hand it to themselves ; but these individuals generally paid for their devotion to the people with their lives. The people seldom showed much or any gratitude to them until after the supreme sacrifice had been accomplished, and their work seldom outlived themselves, unless they were followed by individuals capable of taking up the torch as it fell from their expiring grasp.

Justice and morality were indeed matters of speculation among philosophers, and the Athenian youth were willing enough as they sauntered from the Areopagus towards the gymnasium to loiter a moment in the market-place and listen to a Socrates outwitting a Thrasymachus. Not that such teaching as that of Socrates was wasted even upon the dainty Athenian ; undoubtedly it slowly prepared the mind for a practical carrying-out of what was then a purely philosophical idea. But the aim of the actual forces in the field was not justice, it was political power ; and every class and every man engaged in the conflict, with but few exceptions, got such political power and such legal rights as by a combination of intrigue and force each could secure. In other words, except in a few isolated cases, the laws and the political

institutions of Greece and Rome were the result, not of noble purpose wisely led, but of a perpetual warfare between those who had and those who had not, in which justice, though perpetually invoked, was as often ignored —every faction in the community striving to secure most for itself upon the ‘good old plan’

That those should take who have the power
And those should keep who can.

VIII. At a time when the religious condition of the civilised world has been well described as one in which all religions were equally true to the many and equally false to the few ; at a time when the domestic morality that characterised primitive religion had been buried under a mass of confusing and grotesque superstition ; at a time when the affection which had tempered the severity of patriarchal life had been replaced by the hatred which necessarily results from a life of ceaseless struggle for place and for wealth, Christ began to preach the Gospel of love in Judæa. It has been contended that this Gospel had already before been preached—in China by Confucius, and in India by Buddha. But the political student need not be arrested by this controversy. Whether the contention be well founded or not, the Gospel had not only been forgotten where it had been preached, but it had probably never reached the shores of the Mediterranean. Nor need we pause to consider the contention that Christian morality is to be found in the pages of Plato. Long before the advent of Christ the Cynics had by their very observance of them held up the principles of Plato to contempt and ridicule, and the seed sown by Socrates had either fallen upon ground so sterile that no root had been formed or so shallow that the root had withered. The essential difference for political students between the Gospel of Christ and all the gospels that had been

preached before Him, not excepting that of the Stoics, is that His Gospel not only lived, but became an actual, practical, moving force in the world ; and in its socialising effect the greatest force that the world had yet seen. It is true that it was destined to suffer from contact with human society as then constituted, and to serve the same purpose in bolstering up the oppression of Christian kings as its predecessor had served to maintain that of the patricians at Rome ; but it survived the darkness of the Middle Ages. And however obscure may be its action to-day, it has achieved two political results of transcendent importance : it has created a resolute, deliberate purpose in the minds of a few to substitute love for hatred within the community ; and it has done much to temper the bitterness and cruelty that used to attend the conflicts between one community and another.

And this has doubtless been the history of many religions. Formed for the purpose of propagating virtue, they have given rise to institutions which have survived the religions they were created to uphold ; but silently in the hearts of the few men and women who are outside of the economic and political struggle, and therefore shielded from its blighting consequence, the virtue itself has survived, and after the name of the founder has become a stumbling-block it has continued to sow in the world the seeds of mercy and justice. It is an interesting thing to note that in the diplomatic correspondence which prepared the arbitration treaty between England and the United States lately submitted to our Senate the word Christ does not once occur, nor indeed any reference to His religion. Practical statesmen understand that a reference to Him would be interpreted to signify hypocrisy, for the reason that Christianity is amongst practical men recognised as occasionally useful as a cloak, but never as an argument. While the Christian Church, however,

has within its own pale survived Christian morality, Christian morality has nevertheless without that pale survived the Christian Church ; and often those men who least recognise the force which is actuating them are the ones that are most accomplishing its ends.

IX. It has already been suggested that the teaching of Christ was inconsistent with the social, political, and economical struggle which ceaselessly animated the Roman Empire : it was therefore impossible for the institution created for the purpose of preaching His Gospel to preserve its original purity after it had allied itself with a contradictory opposite. It is not surprising therefore that the early Christians soon found themselves in inextricable confusion regarding the social problems they were called upon to discuss. As regards no institution has Christianity been so untrue to itself as concerning slavery.

Now, slavery is not only consistent with Pagan politics, but it is a part of the law of Nature. Ants have slaves ; slavery is an advance towards civilisation, for it is a victory of intelligence over brute force ; but it comes within the law of Nature as contrasted with the law of Man, for it is a victory of intelligence divorced from, or rather not yet wedded to, morality. Ants do not enslave out of a spirit of mercy ; they enslave for purposes of convenience. Such, too, was undoubtedly the original human motive ; it was subsequently justified on the plea of mercy. But this plea was as insincere in the mouth of a Roman soldier as afterward in that of a Southern planter, for slavery was as necessary to the degenerate wealthy class of the Empire as to the planter in the Southern States ; they neither of them knew how to dispense with slaves, because they had been brought up to depend on them.

Moreover, the method of Nature is to advance the favourites at the expense of those that are not favourites ; slavery is therefore entirely consistent with natural law. In it there is no notion of justice, because natural law has nothing to do with justice ; and Roman law—*pace the plebs*—as little as possible.

What, then, are the general conclusions to which we may come regarding the growth of political institutions in ancient times ?

Primitive human government resembles that observable in communities of ants and other lower animals in the force upon which it mainly depends—force of habit. The first step towards civilisation is that which substitutes deliberate, purposive action for undeliberate, unconscious habit ; as civilisation advances, force of habit diminishes, and is replaced by purpose. This substitution is evidenced by the appearance of self-restraint, which is either the germ of religion or its fruit. Self-restraint expresses itself in monogamy and deliberate, as opposed to instinctive, consent to government.

Progress in government seems in ancient history, like progress in animal instinct, to have been in great part the work of a few men who, in the language of the breeder, come under the designation of ‘sports.’ That society only is capable of progress which encourages variability of type, and creates an environment favourable to those types which excel in wisdom. Thus an exclusively military or bureaucratic organisation must be avoided, for it would destroy the tendency to variability necessary to produce such types ; so also an environment which makes wealth the main motive and purpose of man’s life should be avoided, because it is one in which types excelling in wisdom would tend to be either crushed in embryo or, if born, silenced.

Nature’s plan is to favour force ; the human plan

is to favour wealth ; the wise plan would be to favour wisdom.

The surviving civilisations seem to be those that were founded upon the domestic virtues of the family group. But the family in its development into a State became radically transformed. The affection which characterised it was replaced by the habit that necessarily results from ceaseless competition ; the commanding members lost their unity, and therefore their power of command. The subservient members, increasing in diversity and numbers, lost in some degree the habit of obedience and gained in power of resistance. Political institutions have developed out of the struggle of individuals and classes for wealth, consideration, and political power ; this struggle has been kept within bounds, and the struggling individuals and classes have been forced to mutual concession by fear of external foes. They have been profoundly affected by superstition, and little, if at all, by the sense of justice, until the advent of Christ. But the teaching of Christ lost its force and consistency when the institution created to propagate it allied itself with the Roman Empire. Although it was perverted and at last cast aside by the State, it has nevertheless survived as a moral force in the hearts of a small fraction of the people ; and though the fraction is small, the force is strong : so that even those who profess to deny it are nevertheless its unconscious ministers. Thus one of the great questions of the day is whether the affection which once played a part in the old patriarchal family can be restored to the larger family of man, not as a mere development of natural parental instinct, but in a deliberate conclusion that every one of us can by self-restraint increase not only his own happiness, but also that of all about us, through the substitution of love for hate in every action of our

lives, as well without the family as within it. Such a solution does not seem possible without a profound, though not for that reason abrupt, change in our social, industrial, and political institutions.

Hence the importance of studying them, if only to prevent the hasty experiments at ultra-popular rule which have already so often proved fatal to the very class in whose interests the experiments were made.

And so, postponing still a little while the study of these various questions, we return to the question which stands as the title of this chapter : ‘ What is Government ? ’

Government may be studied from different points of view : from the historical as regards its evolution ; the morphological as regards its form ; the physiological as regards its functions ; and the telelogical as regards its ultimate aim. Now, we have not yet studied the functions of government either as to what they are or as to what they ought to be ; but we have gone sufficiently into the questions what it is, and how it came to be what it is, to make some tentative effort at an answer on this subject.

Government, however, is so complex a thing that it is as difficult to define as religion. It is like a mountain, which changes its shape according to the point from which it is observed. Mont Blanc from the Swiss side looks like a round dome of snow ; from the Italian, on the contrary, like a sharp rock-peak ; and yet both these impressions are merely different aspects of the same thing. It is impossible to get a correct idea of the shape of Mont Blanc, if it be examined from only one point of the compass, or even from two, or yet from all four, unless these views be so taken as to permit of their being correlated with one another so as to form a distinct and consistent whole. Now, as we cannot get a

model of government that would represent more than one of its numerous sides, the best thing we can do is, as it were, to move round it—not so fast as to lose any of its essential details, nor so slow as, in the examination of detail, to lose a sense of the whole. This is what we are to do, and what has been aimed at in the previous pages as regards the evolution of government and its form.

Now, as regards its evolution we have been compelled to recognise that human government has been evolved by a process different from that of natural organisms ; as different, indeed, from that of natural organisms as art is different from Nature. And yet we have at the same time been obliged to admit that a process of evolution is nevertheless always at work with it. The extent to which deliberate effort is engaged in modifying government, itself depends upon certain natural processes which man can control only in a very slight degree. For example, he can kill the variability of any given race by lowering its standard of living, debasing its standard of religion, and subjecting it to too compelling a government ; but how usefully to increase its variability is a problem which has not yet been solved. It is easier to make a Chinaman than a Shakespeare. Indeed, man is not unlike a gardener, who can within certain limits determine the colour of his flowers, the size of his fruit, its flavour and its fertility ; he can create for his garden an environment determined by his taste, and the garden tends to conform thereto. But while he can within certain limits modify the form and flavour of his fruit, the very life of it depends upon his not exceeding these limits, and upon his approaching them gradually and with exceeding care.

Now, in matters of fruit men tend to agree ; but in matters of government they differ widely. And so every

man is engaged, more or less consciously, in creating a government after his own heart ; and in these democratic days it may be said that the particular form of government in any community is the exact resultant of all the wisdom and all the folly therein. And as we see that men's ideas on government are determined for the most part either by habit or selfishness, and that men either tolerate it through the operation of the one or modify it in the interests of the other, one description of government would be that it is the machinery devised by selfishness and craft through which political power is distributed amongst the people of the State, and exercised by, for, and upon them—the main result being that the most selfish and the most crafty generally divide amongst themselves the power, the consideration, and the spoils.

But if we look at government from the more hopeful point of view furnished by some exceptional periods of history, we shall be tempted to describe it rather as the machinery through which man can, and sometimes does, control his social constitution by deliberate and conscious art, as distinguished from that through which it is determined for him by indeliberate and unconscious growth.

But both these descriptions—I do not call them definitions—are tentative and provisional. Before we can construct one that is at all final we shall have to satisfy ourselves as to whether society is or is not an organism ; if it be not an organism, whether it may not partake of the character of an organism, and if so how far ; what is the degree of man's control over it, and, if he has control over it, in what direction this control should be exercised. The first of these questions will involve an answer to the question, *What are the functions of government?* The last one, *What ought to be*

the functions of government? And this last will be found to involve a still more fundamental question, What is justice? For the conclusion to which we seem to be tending is that government has been so far captured by the men who were able to capture it, in order to secure for themselves the largest possible share in the good things of this world; whereas government ought to be strong enough to capture the capturers, and compel them by an enlightened morality to work for their own highest benefit by working also for the general good. Such a government would, if realisable, constitute an administration of justice; and though certainly not realisable to-day may be found to hold up a model to which we may slowly learn by effort to conform, lest by failure of effort and the triumph of *laissez faire* we relapse into that condition of anarchy to which Nature is ever mockingly beckoning us, and to which some of our political teachers still look with 'philosophic calm.'

CHAPTER II

IS SOCIETY AN ORGANISM ?

THE chapters which Mr. Herbert Spencer has devoted to comparing society to an organism¹ are assuredly amongst the most interesting he has written. They are for that reason the more pernicious ; for in the success which attends his efforts to show how nearly society resembles an organism, and above all in the wealth of illustration with which he enriches the discussion, there is left in the mind of the reader an impression that society not only resembles an organism, but that it is one. And it must be admitted that there is much in these chapters which tends directly to convey this conclusion. It would be difficult to be more categorical than in the title of one of them, ‘A society is an organism’ ;² and in a subsequent chapter³ his approval or disapproval of previous philosophers depends upon the extent to which they admit the contention. Nevertheless it must be admitted—and this is what makes it difficult to understand Mr. Spencer’s philosophy—that he is at almost as much pains to point out the features in which society differs from living organisms as those in which it resembles them ; indeed, in one passage he goes so far as distinctly to assert ‘that there exist no analogies between the body politic and a living body save those necessitated by that mutual dependence of parts which

¹ *Sociology*, Part II.

² *Ibid.* chap. ii.

³ *Ibid.* chap. xii.

they display in common';¹ and in conclusion in a footnote² he characterises his statements in the text as an 'emphatic repudiation of the belief that there is any special analogy between the social organism and the human organism.' A little later he drops the alleged parallelism between individual organisations and social organisations, and goes on to say that he has 'used the analogies elaborated but as a scaffolding to help in building up a coherent body of sociological inductions'; and adds, 'let us take away the scaffolding; the inductions will stand by themselves.'³

Now, this is the very question we have to decide: *Will the inductions stand by themselves?* On the contrary, is it not universally admitted that while nothing is more admirable to illustrate an argument than an analogy, even as an illustration it is dangerous, but as an argument it is positively misleading? Let us test this by an example drawn from this very subject. Mr. Spencer shows that society resembles a living organism in the following particulars: they both grow; and they grow, not, as inorganic crystals grow, by mere increase of size or addition, but the growth is attended by 'structural differentiation.' That is to say, that just as the primary cell with which we are familiar in the lowest forms of life gradually develops stomach, limbs, head, and heart, none of which can perform the functions of the other, so society in its growth from the family to the nation gradually develops different organs, such as the agricultural and industrial organs, which may be likened to the alimentary system; the organs of transportation—roads, canals, &c.—which may be likened to the circulatory system; and government, which may be likened to the regulative system—composed of nerves, ganglia, and

¹ *Sociology*, § 269.

² Footnote, *Sociology*, § 269.
³ *Sociology*, § 270.

brain. Now, all this is true ; the analogy *in these respects* is perfect. But a similar analogy can be traced between a living organism and a machine. Let us, for example, compare in like fashion a locomotive with a horse. In the Spencerian sense both grow : the horse has been developed from the primitive cell with which Mr. Spencer starts ; the locomotive has by successive human inventions been developed from the hand-barrow ; and they both have grown, not, as inorganic crystals grow, by mere increase of size or addition, but the growth has been attended by structural differentiation. Just as the cell developed limbs, the hand-barrow developed a single new limb first in the wheel-barrow, then more limbs in the hand-cart, still more in the waggon, and last the six or eight wheels in the locomotive of to-day. Just as the cell developed a stomach which assimilates food and distributes it as force throughout the limbs, so the barrow developed a boiler which converts water into steam and applies the steam to the movement of its wheels ; as the cell developed a circulatory system, so the barrow connected its parts by tubes for conveying first water to the boiler and then steam to the movement of its limbs ; and as the cell developed a regulative system, so the barrow developed a governor which automatically regulates the quantity and pressure of its steam. Here, too, the analogy is well-nigh perfect ; and yet we would think a man mad who should seriously propose that because a locomotive resembles a horse, therefore it is one, and should consequently insist that humanity required the organisation of a society to prevent cruelty to locomotives, and that chief amongst its purposes should be the enforcement of a rule that locomotives be furnished with oats as well as water, and be not allowed to travel faster than six miles an hour or longer than six hours a day.

Whether Mr. Spencer falls into as grotesque consequences may be gathered from the fact that as a part of the discussion of this subject—indeed, as the conclusion of it—he denounces governmental effort to prevent disease as ‘sanitary dictation’;¹ he denounces also municipal ownership of gas and water, the building by the State of houses for the poor, *free libraries*, *free local museums*, *free education*, and generally all that he includes in the expression ‘coercive philanthropy.’

Now, if the doctrine that society is an organism, or so nearly resembles an organism that it is dangerous to interfere with it, results in such conclusions as these, is it not important that we should examine this doctrine with exceeding care? And is it altogether unfair to put Mr. Herbert Spencer in the same box with our society for preventing cruelty to locomotives?

It may seem a pity to devote much time to an analogy which has been repudiated by the author most responsible for it,² but there are reasons for doing so which are controlling:

In the first place, Mr. Spencer, though he has in terms repudiated it, has not repudiated the argument and conclusions which he has derived therefrom.

In the second place, the heresy of *laissez faire*, which this analogy has contributed to support, is widespread and fundamental.

In the third place, the analogy has given strength to another heresy, still more widespread and still more fundamental, to which allusion has already been made: that human evolution is indistinguishable from that of Nature.

And in the fourth and last place, a careful study of just how far the development of society resembles that of a living organism, and how far it differs from it, will

¹ *Sociology*, § 266.

² Footnote, *Sociology*, § 269.

contribute largely to an understanding of the rôle which man now plays in the scheme of Nature and that which he may be expected or hoped hereafter to play in it ; or, in other words, it will contribute to a just estimate of the legitimate scope of government.

It may be well to give to the second and third of the above reasons a few moments' consideration.

The heresy of *laissez faire*, to which the analogy has given rise, has been described as widespread ; a single illustration will suffice to demonstrate not only how widespread, but how pernicious it is.

In 1891 some citizens of New York met for the purpose of organising those voters who believed that municipal government should no longer serve as the cesspool of national politics, and they constituted a social club composed of many of the most intelligent and influential men of the city to this end. The organisation of this club was intended by the founders to be a first step—but a first only—to a larger organisation which was not to be confined in its membership by the limitation of clubability and club dues. No sooner, however, was the club fully organised but there was propounded the doctrine that society was an organism, that it grew, that there was something mystical and sacred in its growth ; and that human interference with it was immoral and unwise ; that when the city of New York had 'grown' under this mysterious influence to a point where it was prepared to throw off misgovernment, misgovernment would be thrown off ; and that until that time its citizens must wait with folded hands and 'philosophic calm.' The effect of this doctrine in the club was paralysing ; committee meetings called for the purpose of taking action were devoted by Herbert Spencerian philosophers to the airing of their views, and the business men who had been induced to attend these

meetings attended them no more. But this was not all ; the doctrine actually prevailed. The club which had with splendid promise been launched to meet the enemy at the bar was kept within the harbour to serve as a training ship for boys ; and the task of rescuing New York from ring rule drifted into the hands of men less sophisticated by Mr. Spencer's analogies.

It would be impossible to take up the list of members of which this club was originally composed without exclaiming 'Ye are the salt of the earth,' and it was not without profound discouragement that there had to be added 'But if the salt hath lost its savour wherewith shall it be salted ?' Surely a doctrine which can produce this result deserves more than superficial examination.

It has been stated also that the alleged analogy between society and living organisms gave rise to a still more widespread and fundamental heresy ; this can be best stated in the words with which Mr. Spencer closes his discussion of the subject.¹ 'The many facts contemplated unite in proving that social evolution forms a part of evolution at large. . . . Thus *in all respects* is fulfilled the formula of evolution. . . . *Guided, then, by the law of evolution in general and in subordination to it.* . . . Guided by the foregoing inductions, we are now prepared for following out the synthesis of social phenomena.' It can hardly be disputed that Mr. Spencer in these words—and indeed in his whole system of philosophy—not only adopts the law of evolution as applicable to social development, but rests his whole 'synthesis of social phenomena' upon it. It ought not to be necessary to repeat how fundamentally opposed to

¹ *Sociology*, § 271. The italics are mine.

the law of evolution is believed to be the law of social development, for this has been already treated in previous chapters.

Let us now, then, set ourselves to the task of deciding just how far the analogy between society and living organisms goes, and above all where it ends ; for it is at the point at which it ends that the philosophy of effort diverges from that of *laissez faire*.

It has been already pointed out that the parallelism alleged to exist between society and living organisms is to be found in continuous growth and structural differentiations ; and to this may be added the words of Mr. Spencer, 'a development from indefinite incoherent homogeneity to definite coherent heterogeneity.' This parallelism has been very beautifully worked out by Mr. Spencer, and cannot be better understood than by reference to his works ; we shall therefore confine ourselves to studying where this parallelism ends : and here again we shall have to borrow from Mr. Spencer ; for he points out with great clearness that whereas a living organism is concrete, society is discrete ; that is to say, that while the units which compose an organism are bound together so as to form a concrete and

¹ Reference has been made to the fact that Mr. Spence regards this development from indefinite incoherent homogeneity to definite coherent heterogeneity as identical with the process of evolution ; whereas, so long as 'evolution' is used as synonymous with 'natural selection,' development is only a part of the process and not the whole of it—natural selection including degeneration as well as development. Much confusion would be avoided if evolution were distinguished from natural selection and confined to that part of it which is development ; in this case Mr. Spencer's definition would be more correct ; but it would not be altogether correct, because the evolution of the herding instinct does not follow the rule of development from incoherence to coherence ; on the contrary, a tribe of savages is a much less coherent thing than the plasmodium of myxomycetes, and yet it is a much more conscious, and for that reason more developed, form of association.

inseparable whole, the units which compose society have each an independent existence: in other words, while a lung, a heart, and a stomach cannot exist apart from one another, the members of a society can so exist apart; can even voluntarily move from one society to another, as in the case of emigration, or become part of other societies by compulsion, as in the case of conquest. And that whereas the parts of an animal exist for the benefit of the whole, in a society the whole exists for the benefit of the parts: in other words, whereas a horse does not live for the benefit of his lungs, but the lungs exist for the benefit of the horse, society does exist for the benefit of men, and not men for the benefit of society. Another important difference is to be found in the fact that whereas consciousness is concentrated in a small part of an animal—that is to say, the brain—in society it is diffused through the aggregate; that is to say, through every individual of it. But there is one other difference which is not mentioned by Mr. Spencer—perhaps because he does not believe in it—that whereas in an organism there is but one mind or will, in a society there are as many minds or wills as there are individuals composing it; and if to every will is attached a soul, as would be demanded by the religious element in the community, it will be seen that there is here between an animal and a society a difference so colossal that all likeness between them would by its side dwindle into insignificance.

We are now approaching a difference between the development of societies of men and of societies of other living organisms to which too much importance cannot be attached, and here we shall have to marshal a few facts to our assistance.

Mr. Spencer in showing the similarity between society and some lower forms of life describes a kind of fungus

known as myxomycetes,¹ which shares with many other low forms of life the peculiarity of being a free individual at birth and becoming at a later period drawn to its fellows by an irresistible force that converts it into the integral part of a composite and sometimes moving mass.

It is impossible to speculate regarding the character of the force which unites these isolated individuals into a plasmodium so compact that without a microscope it would be impossible to know that it was not itself an individual, but a colony of individuals. We know nothing about this force, except that it seems impossible to believe that it is a conscious one ; there certainly is in the myxomycetes no organ of consciousness, no nerves, no nerve centres, no brain, and yet they seem capable of association of no accidental character. A similar example is furnished by the sponge, which is equally free from organs of consciousness ; Professor Huxley describes² it as a kind of subaqueous city, ‘where the people are arranged about the streets and roads in such a manner that each can easily appropriate his food from the water as it passes above.’

Now, this faculty of association which we here observe in cells that appear devoid of consciousness exists also in animals which have a well-developed brain and nervous system, and gives rise to the communities of ants and bees which arouse in us so much interest and admiration ; but it is not demonstrable how far these communities are due to deliberate conscious purpose or to the same unconscious force as brings together the individuals that compose the plasmodium of the myxomycetes or the sponge. The force of what is termed

¹ It is not at all certain that myxomycetes is properly classed in the vegetable kingdom.

² *Myriothela and Blood Corpuscles*, Brit. Assoc. 10, 9 ; quoted by Herbert Spencer, *Sociology*, § 218.

'instinct' in the lower animals and 'habit' in man has already been insisted on to explain much of what seems to be deliberate action on their part; and enough has doubtless been said to show that the growth of society in men as in animals is due in great part to this unconscious force, which possibly does not differ in kind from that which determines the isolated germs of myxomycetes to unite in a mass so coherent as practically to have an individuality of its own. Indeed, it has been already carefully pointed out that if we compare the polyandrous or monogynic races of the past¹ or even of to-day with communities of ants, it is doubtful whether they evince any higher powers of socialisation than these last; and the conclusion has been drawn from this comparison that the socialising force at work in the lower animals is practically the same as the socialising force at work in man, until we find in human institutions the operation of that faculty a high degree of which above all distinguishes man from the lower animals—the faculty of self-restraint. We find this faculty at work in framing our social institutions the moment monogamy replaces other forms of sexual relation, and we find it at work in framing our political institutions the moment men abandoned the freedom but danger of isolated patriarchal life for the protection but control of a more highly organised government. When Theseus used his personal prestige to persuade the kings of Attica to unite in order to present a solid front to the invader he exercised the essentially human prerogative of volition upon his neighbours; the same is true of Alexander Hamilton when he broke down the opposition of New York to our present constitution, and thus substituted one powerful federation for thirteen powerless provinces. Here, then, there is obviously at work something different from the unconscious force that animates a sponge or

¹ That is to say, the races which do not practise monogamy.

directs an ant-hill. When Servius Tullius, engaged in a similar enterprise, created a municipal religion in order to break up the exclusiveness of patrician family worship and furnish an altar to those that had none, he devised and put into execution a plan for welding a divided people into a single nationality, which has all the elements that distinguish purpose from unconscious growth. A similar result was obtained and in a similar manner when the anti-social tendency of warring creeds was eliminated from our political system by the constitutional clause which substituted religious tolerance for the irreligious intolerance that characterised some of our original colonies.

Again, when our colonies surrendered some of their political rights to a federal government and drew up a constitution to define the extent of their surrender, they performed an act of invention as distinctly characterised in kind, though possibly not so advanced in degree, as when Watt invented the steam engine or Morse the electric telegraph. If this be growth, then invention is growth; and locomotives grow as well as society. But invention is not growth, and locomotives do not grow; they are constructed; and by the same token human society *in so far as it differs from the societies of lower animals* does not grow, but is constructed. This is by no means a contention that society does not grow; on the contrary, we have sorrowfully to admit that nine-tenths of its development is unconscious, undeliberate, ungenerous growth—the result partly of habit, partly of egotism, and very little of the higher qualities which distinguish man from the lower animals. But in so far as there is disinterestedness, deliberateness, consciousness, purpose, or wisdom in the development, to that extent society is rescued from the natural process of growth and is confided to

the human faculty of effort ; for to that extent Art has overcome Nature.

And yet it would be improper to ignore the large part which Nature still has to play in our social and political institutions. All that is material in us belongs to her ; the soul¹ alone is ours ; but

While this muddy vesture of decay
Doth grossly close it in,

we shall have to pay tribute to her. And in recognition of this fact it would seem a more reasonable simile to compare society, not to an organism, but to a Jardin d'Acclimatation, or a greenhouse :

Both are concerned with living things.

Both are engaged in modifying the conditions of living things for the attainment of specific ends.

Both are limited in the attainments of these ends by natural laws, some of which are rigid and inflexible, others of which are flexible in the extreme.

Both are human devices for utilising forces in Nature that are utilisable for the attainment of human ends in order to resist tendencies in Nature that are hostile to the attainment of these ends.

Both succeed in proportion as there is increase of knowledge of these tendencies and ingenuity in the utilisation of those that are friendly and in the control of those that are unfriendly.

Both fail in proportion as we are ignorant regarding the tendencies against which we strive, and lacking in ingenuity in the treatment of them.

They differ, however, in the fact that the gardener is clear about the objects for which he is striving, and is

¹ I shall ask to be allowed to use the word 'soul' to mean 'the faculty of conscious effort.' It undoubtedly means much more than this to many. But it will avoid controversy to confine the word to this meaning *for the purpose of political discussion*.

inconvenienced by no division of heart or mind either as to the objects to be gained or as to the methods to be employed therefor.

The statesman, on the contrary, is uncertain as to the objects for which he is striving ; for example—as to whether he is to strive for the happiness of the people or only for their physical protection from violence. But above all he is inconvenienced by the division of heart and mind in the community itself, both as to objects and as to methods ; the unwealthy majority demanding changes that will secure them a larger share in the national wealth, the wealthy minority demanding, on the contrary, either the *status quo* or changes that will secure to them even more than they now enjoy : the unwealthy majority being ignorant as to the facts upon which sound judgment regarding proposed changes depend—*e.g.* history, law, economics, currency, &c.—and therefore generally misled by false prophets and divided between conflicting theories ; the wealthy minority being thoroughly posted in all the facts upon a knowledge and use of which their wealth and political power depend, and acting together as a unit whenever these are seriously attacked ;¹ the unwealthy majority being under existing conditions in

¹ This was illustrated in the Presidential campaign of 1896. I believe that the Free Silver policy proposed by the Democratic party would have resulted injuriously to all parties, but infinitely more injuriously to the unwealthy majority than to the capitalists, whose information and control of financial markets would have permitted them to save a large part of their fortunes from the wreck which must have ensued. I hope to have the opportunity on another occasion fully to argue out this intricate question. But at this moment I content myself with expressing the opinion in order to illustrate the context ; for if I am right, then the 6,500,000 who voted for Bryan were voting their ruin ; and while it would have taken a very small addition to their ranks to have effected it, the wealthy minority was able to defeat the unwealthy majority. In doing so it was assisted by the following advantages :

1st. They were intelligent enough to sink all political differences in order to defeat the common enemy ; thousands of Democrats abandoned their party in order to elect the Republican candidate, and the remaining

great part dependent for food and clothing upon the very minority against which they are pitted, and easily seduced by Utopian promises that can never be realised ; the wealthy minority successfully heretofore resisting Utopian schemes by pseudo-philosophical arguments, such as that society is an organism or that survival of the fittest is an immutable law of Nature, or the doctrines which have become known as Individualism and *laissez faire*, always plausible and not always sincere.

Hence the problem of government is of peculiar difficulty, and we cannot therefore be too careful that our minds are free from false theories at the start. Indeed, this bias of mind created by a disposition to regard society as an organism seems to have a peculiar faculty capitalistic Democrats put up a candidate of their own, not with a view to electing him, but for the purpose of drawing away votes from Bryan.

2nd. They had the money to spend for campaign purposes. It is possible that money was spent for corruption ; but even though not a cent were employed in purchasing votes, money is indispensable to the conduct of a campaign ; it was abundant in the Republican camp, and its need was sorely felt in that of the Democrats.

3rd. They controlled a large vote by the fact that they were employers of labour ; but in regard to this it must be admitted that the Australian ballot has crippled the employer in influencing the votes of his employees ; and that the large Labour vote polled against Bryan in the East was due to a propaganda of financial doctrine—some of it sound, some of it unsound.

4th. They controlled the organisation of the Republican party. How powerful this organisation is, and how injuriously such an organisation may be used in the interests of bad government, has been amply demonstrated in the politics of New York City and State since 1896. But it may be urged that if the capitalists had the control of the Republican organisation, the anti-capitalists had that of the Democrats. The answer to this is that the capitalists are past masters in the use of organisation, whereas the anti-capitalists have, in the United States at least, still to learn the art ; moreover, the Republican organisation was strengthened by the help of the Democrats most skilled in this particular art, who abandoned their party on this issue ; whereas the anti-capitalists were weakened by their defection.

All these facts seem to illustrate the text that the unwealthy majority is handicapped by its lack of information ; whereas the wealthy minority, on the contrary, has the additional advantage conferred by intelligence, money, employment, and the faculty for controlling political organisation.

to mislead. Sir J. R. Seeley in his interesting lectures on Political Science seems to trip the moment he touches this subject ; and as his error, if any, is committed in discussing forms of government, and we shall have sooner or later to discuss this subject, we shall be wasting no time in briefly examining the conclusions to which he comes. He regards the resemblance between society and living organisms as ‘no mere fanciful or rhetorical but a really important analogy,’¹ mainly on the ground that in inorganic things such as stones ‘one part is like another, or if accidentally it differs in shape does not differ in its capacities’ ;² whereas in society the parts differ both in shape, structure, and function. He forgets that if he substituted for a stone some inorganic thing that had been put together by human invention —as, for example, a house, a sawmill, or a clock—this difference between society and ‘inorganic’ things would break down ; and, indeed, that society would then in many respects more closely resemble these inorganic things than organic. But the points in his lectures to which it is particularly important to call attention in this connection are those in which he allows his classification of forms of government to be spoiled by the introduction of the organic and inorganic idea. He quarrels with Aristotle’s classification, because he points out that our present constitutions are too complicated any longer to conform to it, and suggests a classification based not upon the number of persons³ exercising the powers of government, but upon the character

¹ *Introduction to Political Science*, p. 45.

² *Ibid.* p. 48.

³ Aristotle’s classification is based upon the number of persons who compose the government, viz. : monarchy when only one governs, aristocracy when a few govern, and democracy when the people governs ; and he adds three other perverted forms, viz. : tyranny, oligarchy, and ochlocracy, when the one, the few, or the many, misgovern respectively.

of the government. In a word, he divides all governments into three classes—namely, that in which there is community of race, that in which there is community of religion, and that in which there is community of interest.¹ He regards these three as organic, because they grow without compulsion naturally ‘from within’; but he puts in a different class those that arise through conquest, and these he calls inorganic.² He recognises that these last occur at least as often as organic States, and deserve as much study, but he does not undertake to study them; he calls them quasi-States, and describes them as States ‘where everything is founded on violence and conquest.’³ And elsewhere,⁴ in putting on one side all inorganic States and confining his attention to organic States, he justifies the proceeding on the ground that organic States alone are ‘evolved by a vital process,’ and therefore ‘in them alone a government answers a public need and is supported by public feeling.’

That kinship did preside at the birth of practically every nation; that religion, too, did contribute much to nation-making; and that a common interest is an essential motive in keeping nations together cannot be disputed, but whether this classification can to-day be of any great service seems doubtful, for kinship has in such countries as the United States comparatively little to do with nationality, religion less, and interest is so common to all civilised nations that it cannot usefully serve to distinguish them.

But in the classification of kinship, religion, and interest there does not seem to lurk any dangerous error, whereas the classification of these three under the title organic, and that of all others under the title of

¹ *Introduction to Political Science*, p. 68.

² *Ibid.* pp. 72-74.

³ *Ibid.* p. 168.

⁴ *Ibid.* p. 203.

inorganic, is not only indefensible *per se*, but leads Sir J. R. Seeley into manifest inconsistency.

In the first place, are nations which arise out of community of religion and interest organic? Do they result from undeliberate growth, or are they not, on the contrary, the product of anxious deliberation and strenuous effort? This question has already received its answer in the fact that in both Greece and Rome religion operated at first as an anti-social force, and it was only through the genius of a Theseus in Attica and of a Servius Tullius in Rome that this anti-social force was broken down by the deliberate invention of a new religion. Again, the moment deliberate, purposive interest becomes a motive this very fact breaks down the organic theory; for organisms grow unconsciously, whereas nations that keep their citizens or add to them by interest do so by appeal to deliberate prudence. Naturalisation is itself a disproof of the organic theory. Witness the Jew, who has no nation save that which serves his interest; the Rothschilds, who are Austrians in Vienna, Frenchmen in Paris, and Englishmen in London. Witness our own country, whose very foundations are built upon the deliberate emigration from countries too organic, in the truest sense of the word, any longer to hold the oppressed majority; for truly organic countries are not those which have grown, but those which have overgrown, and over which there has presided ignorance, as in Italy, or selfish indifference, as in Ireland, or bigotry and corruption, as in Spain. Nothing indeed could be conceived as more utterly destructive of the organic idea than interest. Is it out of a deliberate motive of interest that the cell of the myxomycetes remains a part of the plasmodium? or the ant a member of his ant-hill? or the child a member of his family? Surely not. Surely the more unconscious the force

which holds the individual to the society, the more natural, the more organic the society ; whereas, on the contrary, the more conscious is the social force, the more deliberate, the more interested it is, and the less organic.

In the second place, can the use of the word 'inorganic' to describe a nation constituted by conquest be in any way justified ? If it means anything, it means that such a nation is like a stone, without structural parts ; that it does not grow ; that it has no sustaining system, or circulatory system, or regulative system. But this is not true. The Roman Empire—which Sir J. R. Seeley has in mind¹ when he casts nations built up by conquest into the discredited class called 'inorganic'—had just as fully developed structural parts as England ; grew as England grew ; had a sustaining circulatory and regulative system ; and resembled a living organism just as little and just as much as those nations—if any such exist—which, as he describes it, were 'evolved by a vital process.'

And if a nation must be regarded as organic if the process of its growth be *natural*, and inorganic if the process be, on the contrary, *artificial*, what can be more natural than growth by conquest ? Is not this *the* natural process *par excellence* ? Whereas, on the contrary, a nation, such as ours, which was 'evolved by no vital process,' but constituted itself by as deliberate an act of human invention as was ever performed by man, is clearly beyond the sacred pale of organic governments, and must be left with the Roman Empire to howl in the outer darkness of the 'inorganic.'

And see in what errors this mistaken use of words will result. Sir J. R. Seeley attributes the fall of the Roman Empire to the fact that it was inorganic.² Surely

¹ *Introduction to Political Science*, pp. 366–368.

² *Ibid.*

this is a mistake. In one sense of the word, all nations of antiquity were born of war and died of it, but the causes for the decay of the Roman Empire were within itself—in the enslavement of the mass of the population by the wealthy minority ; in the discontent of the one and the enervation of the other. Were not these causes ‘evolved by the vital processes’ of the Empire ? Were they not the result of the operation of unconscious forces, the forces of egotism, which have blindly sought to benefit self, at whatever cost to others, ever since Nature established her predatory system in the world ?

Again, Sir J. R. Seeley, if he is right in his concern for the mote which he thinks he sees in the Roman eye, is fatuously unconscious of the beam in his own eye ; for of what nation can it be more truly said that it is the product of conquest than the British Empire ? And no man can witness the result of British conquest and occupation in India and Egypt without being convinced that if this be inorganic government, then let all government be inorganic, for, as a French editorial lately put it, ‘ We have observed that the deeper the British talons enter into the Egyptian carcass the higher rises the price of Egyptian bonds ! ’

And this is the conclusion to which we have been all along quietly drifting : growth is characteristic of vegetables ; construction is characteristic of man. Just in so far as nations have allowed themselves to grow, they have pursued the inglorious career of cabbages in a vegetable garden ; in so far as they have undertaken to construct, they have emancipated themselves from the thraldom to Nature which they share with humbler living organisms. Growth is easy ; construction is difficult. Growth belongs to Nature ; construction to Art. Growth is accomplished for us ; construction is

accomplished only by ourselves. Construction is the gospel of effort ; growth is the gospel of *laissez faire*.

An excellent comparison of the process of growth and that of construction is furnished by the municipal laws of England and France respectively ; and they are selected all the more willingly as they suggest a quotation from Mr. Albert Shaw¹ which reveals a latent reverence for the principle of growth singularly misplaced in this connection. He says : ‘ Throughout the French system there is the unity and harmony of an elaborate piece of architecture made fit for its purpose by skilful and artistic hands. The English system, on the other hand, seems more to resemble a sturdy tree with firm, deep roots and massive trunk, and with spreading boughs which maintain a general symmetry and balance without semblance of precise regularity.’

If one may be permitted to push the analogy a little further, it might be suggested that we have for some time now given up living in trees and taken to houses ; so that if the analogy holds, it might be as well for us to adopt the same method in devising our political systems as in providing ourselves with physical shelter. But it would perhaps be difficult to choose a branch of political legislation in which the principle of growth had resulted in more pernicious evil or that of construction in more obvious advantage than on this very subject of municipal government. The ‘ sturdy ’ municipal ‘ tree with its firm deep roots and massive trunk ’ bore singular fruit when its condition became the subject of legislative inquiry in 1833. The result of this inquiry is summed up by Sir J. R. Somers Vine in a passage quoted as

¹ *Municipal Government in Continental Europe*, p. 165. This interesting work should be read in connection with a sister volume on *Municipal Government in Great Britain*. They admirably illustrate our subject.

authority by Mr. Shaw¹ :—‘The municipal corporations were, for the most part, in the hands of narrow and self-elected cliques, who administered local affairs for their own advantage rather than for that of the borough ; the inhabitants were practically deprived of all power of local self-government, and were ruled by those whom they had not chosen and in whom they had no confidence ; the corporate funds were wasted ; the interests and improvements of towns were not cared for ; the local courts were too often corrupted by party influence, and failed to render impartial justice ; the municipal institutions, instead of strengthening and supporting the political framework of the country, were a source of weakness and a fertile cause of discontent.’

The fact seems to be therefore that the principle of growth resulted in England in the very abuses from which we have been ourselves suffering in the United States ; and that in 1835 England decided the time had come to put a stop to the principle of growth and replace it by the principle of construction. She enacted therefore what Mr. Shaw himself characterises as her ‘great Municipal Reform Bill of 1835,’² and she has ever since kept a careful eye upon the deadly principle of growth by adding to this ‘great Municipal Reform Bill of 1835’ another statute in 1884, and again ‘the great statute of 1888 known as the Local Government Act.’³

It is obvious—not only from the words quoted, but also from every line of Mr. Shaw’s work—that he regards the statutes above referred to with the highest approval ; he recognises that they uprooted the ‘sturdy’ municipal system prior to 1835 root and branch ; and holds them

¹ *Municipal Government in Great Britain*, p. 26.

² *Municipal Government in Europe*, p. 168.

³ *Municipal Government in Great Britain*, p. 36.

up to us as models of sound municipal government. And 'by their fruits ye shall know them'; whereas before 1835 the towns of Great Britain were as badly governed as any in civilised Europe, they are now among the very best.

If ever there was a complete reversal of policy in dealing with political institutions it is to be found in British legislation on municipal government since 1835, and if ever a change of policy was justified by results it is this. The fact is, that until 1835 there was no attempt to deal with municipal government as an art whatever; such legislation as took place was either aimed at suppressing some particular abuse or creating one. The government of every town was left to the haphazard of chance and individual ambition—the two leading factors in the process of political growth as contrasted with that of political construction. The result was so intolerable that corporations constituted for the purpose of protecting trade and industry under the name of guilds, being composed of the most laborious, intelligent, and active men in each town, became the natural protectors of the liberties of their fellow-citizens; and just as in 1893 the New York Chamber of Commerce departed from its commercial functions to undertake the rescue of the city from Tammany Hall, so the ancient guilds, in their efforts to protect themselves from the oppression of the manorial lord, appealed to the Crown for charters under which protection and certain municipal privileges were extended to them. The greatest diversity characterised these so-called municipal charters, for the reason that every charter arose out of conditions peculiar to itself. In some cases the charter was accorded to the guild, so that the guild became indistinguishable from the municipal government; in other cases certain officers of the guild

became *ex-officio* officers of the municipality; in others the guild had no official connection with the municipality at all. But, whatever were the official connections between the guild and the government, it was in almost every instance some guild that initiated the effort to secure a charter and that defended the charter once granted. So that when the guilds disappeared the power which had secured and defended municipal liberties disappeared also, and local government was abandoned to those who had an interest in keeping control of it. And so, says Mr. Shaw,¹ ‘the course of their degeneration is a long story, the details of which are different for each town. But the principle at work was usually the same. The immediately governing body in most towns gradually became a handful of men forming a close, self-perpetuating corporation. In many instances the Crown packed the town governing bodies with honorary, non-resident freemen. The corporations of men chartered to rule the communities became less and less representative of the mass of the town dwellers, and more and more irresponsible. As old public properties grew in value, and as old charitable trusts waxed remunerative through the appreciation and accumulation of investments, grave financial abuses grew up in the administration of these now scandalous municipal corporations. Through the eighteenth century the situation grew from bad to worse. Scores of the corporations were held as “pocket boroughs” by the Crown, the Ministers of State, and the great lords, who used them to dictate their representation in Parliament. The municipalities became in large part a great vested interest, held in a few hands and used corruptly and wickedly to demoralise politics and misgovern the nation. As for the towns themselves, in their local

¹ *Municipal Government in Great Britain*, pp. 23, 24.

management they were neglected and in a disgraceful state.'

The history of growth is that of the conflict between the rapacity of the Crown and that of manorial lords, against which, when it became intolerable, the burgher occasionally revolted ; it is the history of a perpetual surrender of political institutions through the indolence of the many to the spoliation of the few ; and it characterises the reign of a sort of human predatory system.

The reform of just such abuses as spring from abandoning government to growth is the highest duty of the legislator, and never has it been exercised with more wisdom and success than by the British Parliament on the subject of municipal government. But to speak of their work as growth involves the most singular misconception of terms ; it was the direct opposite of growth ; it was construction.

The history of local government in France during the Middle Ages pursued very much the same course as in England. Louis le Gros is often commended by historians for what is termed *l'affranchissement des communes* ; for by them this granting of local government is attributed to kingly sagacity and wisdom. As a matter of fact, a careful examination of documents proves that the action taken by him on application for charter was characterised sometimes by rapacity, sometimes by caprice. While he grants a charter to Noyon and other towns in order to purchase their support against the feudal lords, he refuses it to Beauvais and Rheims. The petition of Orleans he rejects, denouncing *la forsennerie de ces musards qui, pour raison de la commune, veulent se rebeller et dresser contre la couronne* ; while that of Laon, which offered a tribute of four hundred crowns a year, he rejects upon receiving

from the oppressing bishop of that place a higher bid of seven hundred. So far then as the process of growth is concerned, that in France resembles very much that in England. In France, however, the process of construction began earlier ; the French Revolution was a signal for a tearing down of old things and a building up of new, and it is not surprising that in the general overturn the new was not always an improvement upon the old. Nevertheless the law of 1790 contains nearly all the principles of municipal government which are admitted to be sound to-day ; and it has been remodelled not so much because of inherent defects as because of the changes in government which France has so often since undergone.

In France then, as in England, local administration has passed through two distinct stages : the stage of growth, during which it was surrendered to him who could fight best—burgher, baron or Crown ; and the stage of construction, when it was rescued from the predatory system of Nature and put by statute under the deliberate machinery of government. The essential difference between the legislation of France and England is that France, starting with a passion for centralisation, has been gradually decentralising ; whereas England, starting with a chaos of decentralisation, has been slowly centralising.¹ But as to the advisableness of preferring construction to growth, both have been equally emphatic and equally wise.

But although society is not an organism in so far as it is the result of human art, society closely resembles an organism in so far as it escapes the control of art ; and the extent to which it escapes this control must not

¹ See on this subject Professor Goodnow's work on *Municipal Problems*.

be under-estimated, nor must the student of government fail to take due account of it.

A society is any combination of living units for a common purpose ; this combination may be entirely unconscious, as in the myxomycetes ; or it may be entirely conscious, as when our forefathers framed the constitution of the United States ; or it may be so largely unconscious and yet so apparently purposive that we cannot venture to class it in one or the other, as in the case of ants and some of the savage races of men. Now, the more human an association is, the more it is characterised by justice and deliberateness ; the less human it is, the less is it characterised by these two qualities. How far justice plays a part in this contrast will more fully appear in the next chapter ; it may be well therefore to confine ourselves now to the single element of deliberateness or purpose. It may be said then that, from this point of view, advance in civilisation is measured by the amount of wisdom and purpose which has presided over the making of social and political institutions.

Now, no society can exist without some law of association. The law may be a natural one, as in the case of myxomycetes ; or it may be an artificial one, as in the case of the United States constitution ; or it may be both, as indeed is the case in every human society.

This law of association is called ‘government.’ Strictly speaking, in a political sense government is used to mean only that law of association which is promulgated and enforced by the supreme power of the State ; but as a matter of fact human society is controlled by a double system of laws—one of which is written, whether in judicial decisions or in express statute, and the other of which is not written, because it resides in the mass of the citizens under conditions which baffle description.

This last is imperfectly rendered in the English word 'custom,' is more definitely expressed in the French word *mœurs*, and is admirably conveyed by Horace in the words

Quid leges sine moribus
Vane proficiunt?

The essential characteristic of custom is that, however controlling it may be in fact, it does not enjoy the sanction of legislative enactment or executive decree; indeed, it often arises out of opposition to law; as where in the Western States game laws remain unenforced, because public opinion supports the ranchman's defence of necessity; and sometimes again where, though a law be in itself proper, a community declines to avail itself of the law, as in the custom that discredited divorce in the early Roman Republic.

Now, the importance of this moral or sometimes immoral sense that makes custom independently of law, must not be under-estimated—for it is in many respects superior to law for evil or for good; and it differs from law in the essential fact that it grows almost imperceptibly, whereas law, in the strict sense of the word, is the result of judicial decision or legislative enactment—both acts of deliberation—or so purporting to be. The question naturally arises then whether in so far as society develops along the line of custom it does not follow the process of growth rather than that of construction.

It would be impossible to deny that custom and public opinion are in a continual state of change; the varying fortunes of political parties sufficiently testify to this; but how far these variations are in civilised communities due to unconscious growth and how far to conscious effort it is not easy to determine. Nor is this the place to enter upon so difficult an inquiry. Suffice it therefore to point out that, while unconscious *natural*

forces such as egotism, and unconscious *non-natural* forces such as philanthropy, do continually tend to mould opinion under conditions that baffle inquiry, there are nevertheless conscious forces at work, both natural and non-natural, which are quite as powerful and could be made more so. Chief amongst these forces is that of education ; and in the word 'education' are not included our schools and universities alone, but all the educating influences of the day—the press, the stage, music, literature and art. That all these are engaged in moulding public opinion—some in bringing popular government into contempt, some in relaxing public morals, some in holding up low ideals, some in indulging luxurious tastes, while on the contrary they could be doing just the opposite of all these things—there is no doubt.

How far it may be ever possible to bring these great influences within the scope of government must be left to a subsequent occasion. The existence of them is mentioned here because a failure to mention them would have left the discussion of our subject incomplete. Enough has been said to point out that there are great forces at work in society which to-day escape the control of government, and that so far as these great forces are concerned it is not easy to say how far they operate after the haphazard fashion of Nature and how far subject to the deliberate purpose of man. Whatever be the conclusion, however, it is certain that so far as they are left to Nature's guidance they will result in Nature's handiwork ; whereas so far as they are controlled by human wisdom they will bear the fruits of that wisdom.

In conclusion, therefore, associations of individuals are characterised in primitive forms of life by unconsciousness ; but as the individuals develop, these

associations seem to become deliberate rather than unconscious, until in man they not only seem deliberate but are so.

The history of human society shows that when it has been allowed to grow unconsciously the development has been in the same direction as under the predatory system of Nature ; that is to say, institutions have been moulded so as to benefit individuals presenting the combination of strength and craft best fitted to survive in the artificial environment which the strong and crafty created to that end. When conditions produced by this system of growth became intolerable, and the system of growth under the spur of egotism was replaced by one of construction under the guidance of wisdom, there was progress.

Society is controlled by two forces : one which it consciously set up for itself, called 'government' ; one which is unconsciously operating through the silent struggle of natural and non-natural motives in the individual lives of every one of us. The latter to a great extent escapes the control of government ; but in so far as society does consciously create its own institutions, to that extent it ought to be engaged in the process of construction and in the conscious effort towards self-improvement. To this extent society is not an organism, and *à fortiori* Government is not an organism either.

Society, then, is not an organism.

It differs from an organism in the following essential particulars :

The units of an organism have no individual existence ; they are parts essential to the whole and exist for the sake of the whole.

The units of a society have an individual existence ;

and, in the case of human society, they do not exist for the sake of the society, but society for the sake of the individual.

Not only have the units of a society each an individual existence, but they each have an individual will, an independent consciousness, and, all except Materialists will add, an individual soul. The units of an organism are conspicuously without any of these essential attributes.

Not only are the differences which distinguish a society from an organism considerable in magnitude, but they are essential in kind, so that a failure to take account of them must necessarily lead to error. The extent to which this is true, is exemplified by the fact that even so careful a student as Sir J. R. Seeley was betrayed by it into an error of classification which led him to false conclusions ; his division into organic and inorganic States turns out on inspection to be neither philosophical nor useful, and his so-called 'inorganic' States are found to be those which are most highly organised—*e.g.* Rome, England, and the United States. Dr. Shaw is led by it into a false comparison between the municipal law of France of to-day with the municipal law which characterised English towns prior to 1833 ; whereas if the comparison be made between the laws of the respective countries to-day, they will be found, so far as character of development is concerned, to be practically identical, owing to the fact that England has since 1833 been engaged in purging her system of the evils which result from growth and substituting for the principle of unconscious growth that of deliberate construction ; and Mr. Herbert Spencer has been led by his passion for the supposed analogy, not to say identity, between a society and an organism into a denunciation of all those laws which have lifted the nineteenth

century above all preceding centuries in the wisdom and purpose of its legislation.

And when we look a little closely into the reason of this we find that the difficulty results from the fact that Mr. Spencer has not carried his analysis quite far enough. There are doubtless striking analogies between a society of lower animals and an individual animal. These analogies are well illustrated by such composite forms of life as the myxomycetes and the sponge; but when we proceed to follow the analogy into higher orders of animals we find that the higher the order of animal the less the analogy holds ; until at last, when we reach the highest order of all—man—the analogy not only no longer holds, but is actually reversed, so that the more advanced is the society, the more it deliberately discards and resists the earlier process of its development. Thus there is no doubt about the unconscious character of the social force that brings together the ciliated cells of the myxomycetes ; and there is no doubt that this same unconscious force under the name of ‘instinct’ is at work in holding together such communities as those of ants and bees. Nor is there much doubt that the same unconscious force is, under the name of ‘habit,’ still engaged in holding together communities of men. But in moving up the scale of life from the sponge to man we find two new forces at work which profoundly modify the character of the process ; these two forces are self-consciousness and the faculty of self-restraint. And between these two forces again there is a distinction so essential that too much importance cannot be attached to it ; for so long as consciousness alone is at work, it does no more than co-operate with the principle of natural selection ; it comes in aid of this principle, and the result of it is that it enhances the faculty of a society to survive in the battle of life, regardless of the

happiness of the individual. The brutal disregard which natural selection has for the individual has been already sufficiently dwelt upon. Here we need do no more than note the fact that the faculty of self-restraint, guided by sympathy, absolutely reverses this process ; and in man, who alone of all animals possesses this faculty to an effectual degree, social institutions are framed for the benefit of the individual, and the individual is rescued thereby from the merciless injustice of Nature. Now, the force at work in effecting this momentous change is wisdom ; that is to say, the alliance of intelligence and altruism : and the force *against* which it is perpetually being exercised is the force of unconscious growth ; that is to say, the very quality in organisms which Mr. Herbert Spencer and his followers is for ever holding up to us as the main factor in the development of human society.

It seems impossible to get more wrong than this : our enemy is unconscious growth—that is to say, the growth which results from surrender to natural instincts—and yet Mr. Herbert Spencer sets up this very enemy as a fetish, and denounces every effort to limit its wicked and cruel reign. Is it surprising that he should be led by such a doctrine into condemning our factory acts, our free libraries, free museums, and free schools ?

And an examination into the history of municipal government in France and England serves to demonstrate the falseness of the doctrine. The condition of towns when left to the principle of unconscious growth was the worst conceivable ; whereas when they were rescued from this principle and subjected to a government deliberately constructed by a wise legislature, they suddenly became changed from sinks of political decay into patterns of enlightened civilisation.

We must not, however, carry our opposition to Mr.

Spencer's theories too far ; for although we have every reason to believe that wise legislation is the great instrument through which human misery can be diminished, this creed has perhaps suffered most in consequence of legislation which has disregarded the fact that society is composed of organisms and has treated it too much in the light of a mere machine. For society, though not itself an organism, is an association of organisms. And although human society seems to resemble a machine more than it does an organism, the legislator can not for a moment afford to forget that the parts of his machine are not inanimate inorganic matter, but organic living beings, every one of them endowed with the faculties of consciousness and will—and above all every one of them alive to pleasure and sensitive to pain. Nor can he afford to forget that the efficacy of all laws depends ultimately upon the consent of those upon whom they are to operate ; and that therefore no law can be effectual that is not supported by public opinion. Now, public opinion is the result of all the forces acting in the social field, unconscious as well as conscious ; so that while the aim of the legislator should be to replace unconscious growth in so far as is possible by conscious construction, he commits a fatal error if he fails to recognise that men and women are to-day actuated as to nine-tenths of their thoughts and deeds by habit, and many—perhaps the majority of them—are incapable of conscious deliberate self-restraint at all. Legislation therefore that seeks suddenly to exact of the public a greater capacity for self-restraint than it is capable of cannot but prove ineffectual : and ineffectual legislation is bad, because it tends to bring legislation into contempt. Prohibition furnishes a good illustration of this principle : in those States in which Prohibition is supported by public opinion it operates advantageously ;

in those States where it is not so supported it operates only as an instrument of blackmail. For example, it is obvious that Prohibition has diminished crime and improved social conditions in some States, whereas every attempt to force it or anything approaching to it upon the State of New York has resulted either in the corruption of the police engaged in enforcing it or in prompt punishment for the political party responsible for its enactment. The helplessness of mere laws to eradicate defects of temperament is one of the facts which tend to support the theory of *laissez faire*; but the argument that because under certain conditions legislation is inadequate, therefore legislation is always inadequate, is too obviously illogical to need refutation; it could hardly have received a moment's consideration had it not been bolstered by pseudo-scientific conclusions drawn from an alleged identity between society and organisms. But even if society were an organism, this argument would still be incorrect; just as incorrect as though it were contended that because under certain conditions medicine is inadequate, medicines must always be avoided. Were society as subtle and difficult to treat as the human bodies of which it is composed, it would still be the duty of the legislator to study the one, just as the physician studies the other, with a view to determining the limits as well as the extent of his resources.

But society is not an organism; on the contrary, the more human and civilised it is, the less it conforms to unconscious growth and the more it yields to intelligent purpose. That it is composed of organisms, however, sets a limit to the wisdom of interference which it is of paramount importance that we should carefully define.

Now, these limits seem roughly to be marked out by two essential factors: one is the purpose of legislation or

justice, the other is the obstacles to legislation—or national character. Government in aiming at justice has to recognise defects of character. The justice which can be attained in one community could not be attempted in another ; that which could be attained in one community in one stage of its development, it would have been folly to attempt at an earlier one. In other words, the approach to perfection in social conditions depends essentially upon the approach to perfection attained by the individuals of which the society is composed.

How nearly a government can attain perfection depends, then, upon the individual character of those subject to it ; and how nearly the individual character can attain perfection depends to a great extent upon the government to which it is subjected. These two factors cannot be treated apart ; one is a function of the other. Just in the same way as a physician has in treating a patient to consider not only the hygienic conditions which surround him, but also the peculiarities of constitution which may make a sudden change of these conditions injurious, so a legislator in framing laws for a community and thus changing the conditions of its environment has to consider the temperament of the community and its fitness to undergo the proposed change. This is one of the limits that Nature puts to legislation, and it is upon a just apprehension of it that the wisdom of legislation depends.

Recognising therefore the large extent to which art or construction has replaced Nature or growth in the framing of our social and political institutions, we have nevertheless to take due account of the control which Nature still enjoys over the individuals of which society is composed ; and in seeking to attain justice we have to study how far the complete attainment of it is

limited by the hostile and still unsubdued forces of Nature in ourselves.

The next points therefore to which we have to direct our attention are, first, to define what the purpose of government is ; and, secondly, what obstacles stand in its way.

CHAPTER III

JUSTICE

§ 1.—Natural Justice : So-called

AMONG the statues exhibited at the Paris Salon of 1897 was one of a female figure, the Greek features of which were remarkable for the absence of the slightest vestige of an eye. She was seated, of heroic size, and in the place where her eyes should have been were cavities that looked blank and cruel ; nevertheless, her right arm was folded almost caressingly round an infant on her lap ; but her left rested its weight on the hilt of a sword, the point of which stood upon the ground ; and on the sword was impaled another infant similar to the first. The subject was hardly fitted for artistic representation, but it was strikingly treated, and stood, I suppose, for a satire on human justice. Whatever may have been its unfairness as a symbol of the justice of man, it would have served admirably and truthfully as a symbol of the so-called justice of Nature. Her blindness, her cruelty, her indifference, all characterised that dread goddess whom we have still to placate until we have subdued her. Only let her be called by her right name ; not natural justice nor natural injustice—for with justice Nature has nothing to do—but Environment, that Environment that massacres millions with indifference, and favours a few without affection.

It may be objected that although the predatory system is characterised by cruelty, Nature includes also the principle of co-operation in such communities as those of ants and bees, and that Nature furnishes to man in these communities an example of justice and brotherly love. It may be useful, therefore, to study one of these communities a little closely in order to test the value of this objection.

Let us take a bee-hive at the time when the queen-bee is about to lay her eggs. At that moment it contains only one sex, for all the males were murdered on the wedding-day ; of the females, only one has been impregnated ; the rest that survived are, through the rudimentary character of their sexual organs, incapable of impregnation ; for such as were capable of it have also been murdered. The single impregnated female has been ceaselessly attended upon by her less favoured sisters. These last are divided into classes, each of which has its particular occupation ; some gather honey, some build cells, and some serve the queen. When the queen—the single favoured female in the hive—lays her eggs, these eggs are hatched and the larvæ tended by the numerous maiden aunts ; and when the larvæ reach maturity, there is resumed a festival of marriage and massacre. A few of the many females in the new generation are impregnated ; of these some carry away colonies of their barren sisters ; but whenever two queens are found together in one colony they fight a duel to the death, in the passive presence of those who are to tend upon the conqueror. Meanwhile all the males have been murdered by the females, and all the unimpregnated females still capable of impregnation are one after another stung to death by the old queen. Sexual jealousy having thus been effectually disposed of by the murder of all those between whom it could

arise, and the peace of the new community thereby assured, the process is repeated and repeated and repeated, world without end.

Such a story needs no comment; and we could therefore at once pass to the next point in the argument, were it not that we are sure to be met here with protests on the part of those who still believe in Natural justice; amongst these will be found the admirers of Emerson and his essay on Compensation.

This essay was one of his own favourites; he tells us at the beginning of it, 'Ever since I was a boy I have wished to write a discourse on Compensation,' and he sets amongst the rhymes which precede it this couplet:

Fear not, then, thou child infirm;
There's no god dare wrong a worm!

His principal theme is 'the perfect compensation of the universe,' 'the absolute balance of give and take.' He regards 'human labour' as 'one immense illustration' of this perfect compensation, and declares that 'the league between virtue and Nature engages all things to assume a hostile front to vice.'

Now, I have looked in vain for the perfect compensation of the universe in the predatory system; in vain does one seek there for any 'league between virtue and Nature'; still more vainly for a 'hostile front to vice.' If murder be a vice, then Nature is a culprit so colossal that no human imagination can measure her enormity. But if we read the essay with care it will be found, I think, that the 'compensations' and 'leagues' and 'hostile fronts' are not perceived by Emerson in Nature at all, but in the extremely artificial conditions created by man in his revolt against her. For Emerson's illustrations are taken, not from Nature, but from society. For example: 'All infractions of love and equity

in our social relations are speedily punished'; 'all the old abuses in society, universal and particular, all unjust accumulations of property and power, are avenged in the same manner.' Until at last he comes to that highest conceivable emancipation from the predatory system of Nature which he borrows from the lips of St. Bernard: 'Nothing can work me danger but myself.'

This essay has been selected for discussion in this context because it seems to point out in the work of one of our modern sages not only a common error but its simple explanation. The inconsistencies of our language have created in us a habit of mind which confounds the laws of Nature with those of man so unconsciously that the contrast between them—the most striking, perhaps, within the realm of human consciousness—has remained unobserved. We have personified Nature; we have deified her. And because man has often erred in his resistance to the laws of Nature we have regarded him in such case as a culprit, sinning against an assumed justice in Nature; whereas, on the contrary, there is no justice in Nature outside of man; indeed, of all the results of man's ceaseless struggle with Nature, none stands higher than the sentiment of justice. Now, if I am right in contending that the law of man is, in this matter of justice, the direct and deliberate opposite of the law of Nature, it seems as though political doctrines which have failed to take account of so fundamental an opposition must need revision.

A man born blind who is by an operation restored to sight describes his first visual impression as a painting of external objects upon his retina: there is no perspective; no proportion; no distance; every object is equally near. Just as he had previously formed his impressions of things by touching them with his fingers, he now forms his impressions of them by touching them

with his eyes. It is obvious that until he learns perspective his eyes can be of little use to him. Now, it seems to me that a political philosophy that ignores the centuries which separate the law of man from the law of Nature is much like an eye that ignores perspective. Man undertook to fight Nature when the necessities of social life imposed upon him the task of self-restraint ; in the performance of this task he acquired habits of self-restraint ; and in the exercise of these habits he slowly acquired a corresponding habit of mind which unconsciously set up standards of conduct chiefly remarkable for the contrast that distinguished them from the *lex fortioris*, the *droit du plus fort*, the real law of Nature. I think these habits of mind were acquired for the most part unconsciously, because even to-day most persons are staggered by a request to define 'justice' ; few persons have attempted to define it, and no one has hit upon a definition that has received any very general approbation. And yet the habit of mind which unconsciously acts in accordance with justice is the most essential factor of social life. But what justice really is, seems to be the problem which must be solved before we can undertake the solution of any other problem in connection with government. The attempt to frame a political science without a clear idea of justice would be very much like an attempt to construct a solar system without the laws of gravity, or a steam-engine without steam.

§ 2.—*A Few Existing Definitions of Justice*

If, then, justice is the end as well as the motive of government, let us begin by deciding what it is.

La Rochefoucauld may be depended upon for uprooting every flower in order to point out the corruption in

which it grows and from which it derives its nourishment, its beauty, and its colour ; and so we find him describing justice as ‘ nothing but a lively fear lest we be robbed of what is our due.’ Nor can it be contended that La Rochefoucauld is altogether wrong. Fortunately the gospel of effort differs from the gospel of evolution in no point more than in this : that whereas such a fact as that justice originates in fear is a cause of despair to one who believes himself to be a slave to his environment, it is on the contrary a cause for hope to one who believes that by effort he can rise superior to it ; for if by effort man has emerged out of a condition in which he was a slave to fear, ferocity, and lust, into one which has developed out of these vices the virtues of reverence, courage, and love, then there may be hope that in the struggle between virtue and vice, since vice was unable to crush virtue in her infancy, it may be still more difficult to crush her now that she is beginning to acquire wisdom and strength. The difference between the philosophy of La Rochefoucauld and that of Christ is—that Christ points to heaven, whereas La Rochefoucauld is for ever beckoning us to hell. And yet La Rochefoucauld has his use, for he shows us the long way man has already travelled since he parted company with Nature ; and in the distance travelled in the past there is courage for the future.

Herbert Spencer¹ analyses the fear which is at the root of justice into four classes—fear of retaliation, fear of social dislike, fear of legal punishment, and fear of divine vengeance—and after a brief and useful summary of what has been already written on the subject concludes that there are in the idea of justice two essential notions—one of equality and one of inequality.²

¹ *Justice*, § 19.

² *Ibid.* § 25.

The equality, he says, must be applied to bounds, and the inequality to benefits ; and I understand this to mean that there must be equality in the bounds set to human action, but there must be inequality as to benefits derived from it : so that the man who deserves much should get much, and the man who deserves little should get little. In another place he describes justice as follows :¹

' Through all which sets of facts is manifested the truth—recognised practically, if not theoretically—that each individual carrying on the actions which subserve his life, and not prevented from receiving their normal results, good and bad, shall carry on these actions under such restraints as are imposed by the carrying-on of kindred actions by other individuals, who have similarly to receive such normal results, good and bad. And vaguely, if not definitely, this is seen to constitute what is called justice.'

In this paragraph it seems to me he makes the same mistake as Grotius did when the latter defined justice as the possibility to do everything not inconsistent with the social state. He confounds justice with liberty. And in the former passage² he seems to define the effects of justice rather than justice itself. It *may* be necessary to set the same bounds to the action of all men, however much men may differ in capacity therefor ; and it *may* be necessary to heap rewards on a gifted man and leave the ungifted miserably to perish. But even if it were, this would not define what the act of justice is ; it would only state Spencer's theory as to what must be its consequence.

And as I have used the words 'act of justice,' this may be the place to point out that the act of justice is a very different thing from the sentiment of justice or the idea

¹ *Justice*, § 14.

² *Ibid.* § 25.

of it. There is a thing that we designate under the name of justice, regarding which different people entertain very different ideas and very different sentiments. A man's idea of justice depends principally upon his intellectual surrounding and education ; his sentiment of it depends upon his temperament and morality ; and so it has become a common heresy to suppose that justice itself varies with climate and national boundaries ; whereas it is not justice itself that varies, but human notions of justice. Nor, again, is it necessary to adopt what is sometimes maintained to be the alternative doctrine of absolute justice ; that is to say, some divine or ideal standard—immutable, inflexible—to which man can never attain, but towards which he must for ever strive. There may be such an absolute standard ; but if there be, it is of little practical use to the political student if he can never be sure what it is. What I am in search of is not a metaphysical idea concerning which no two men can find it easy to agree, but a fact regarding which it may be possible to arrive at positive conclusions, and which can be made the basis of substantial and definite notions of government.

Now, no language that I know of has clearly distinguished between the different senses in which the word justice is used. As already pointed out, it has been used to signify a sentiment, as in the words,

The Justice of your hearts ;

an idea or attitude of the mind :¹

The nature and office of justice being to dispose the mind to a constant and perpetual readiness to render to every man his due ;

a virtue :²

The king-becoming graces,
As justice, verity, temp'rance, stableness ;

¹ Locke.

² *Macbeth*, IV. 8.

a punishment :¹

Ah ! balmy breath, that dost almost persuade
Justice o break her sword :

a rule of conduct :²

Justitia est constans et perpetua voluntas honeste vivere, neminem laedere, et suum cuique tribuere.

(Justice is the constant and lasting determination to live honestly, hurt no one, and give to every man his due.)

This last definition of justice is admirable as a rule of *private* conduct; but it leaves unsolved the two greatest problems connected with justice, and, it may be added, the two greatest problems connected with government; for it throws no light on *public* conduct, and it leaves unexplained what is that 'jus suum' or 'thing which is due' to every man. And when we look a little closer into Roman jurisprudence for an answer on these points, we find there is practically no rule of public conduct—and that every man's due is determined by a highly artificial code of law, the inhumanity of which in many particulars has been already pointed out.

The above are not the only senses in which the word justice is used, but they are those which interest us most; and all seem to fall short of an adequate account of what justice is in its relation to government.

§ 3.—*Evolution of Justice*

It has been already suggested that the habit of acting with reference to some dimly conscious standard of justice probably preceded the attempt to form any clear idea of what justice is. Now, this habit of conforming to certain rules of conduct, such as those quoted from the 'Digest,' arose out of the necessities of the social

¹ *Othello*, V. ii. 17.

² *Digest*, lib. i. tit. 7.

state. Those tribes could best live in a social state who possessed some capacity for just living; and as men increased in capacity for social life, those communities survived in which this capacity was the highest. But we have seen that this principle of survival applied to communities living under the law of Nature resulted in what to us must seem revolting injustice: in a whole community one female alone is wedded—all the rest are either massacred or reduced to slavery for her. We should regard a community of men, or rather of women, living under such a *régime* as barbarous to an unimaginable degree; and yet such is the product of evolution unmodified by morality in the development of community life in Nature.

One of the principal reasons why injustice—or shall we not say ‘inequality’? for in the unconsciousness of Nature there is no room for justice or injustice—one of the principal reasons why inequality results from Nature’s plan is that in the struggle between communities the individual is nothing, the community everything. When there is competition between communities for existence, it is clearly not the individual the survival of which is involved, but the association of individuals in the community; for it is the community which competes, and not the individuals in it. Thus sexual jealousy being hostile to the prosperity of the community, it is eliminated by the massacre of all the individuals which give rise to it as soon as these individuals cease to be of service; that is to say, when their function is performed. And the males having a brief life outside of the hive, they are unprovided with a sting; whereas the undeveloped females, upon whose prolonged life the prosperity of the community depends, are armed with formidable weapons for defence; and indeed, so careless is Nature of the individual, and so bungling is her work

whenever such bungling does not affect the vital end, the female cannot use her weapon without losing her own life by the use ; but the loss of an individual life is negligible, so long as by it the community is preserved.

And so the method of Nature in evolving communities is to sacrifice the individual to the community—not by design, but by indifference. The life of the individual when not essential to the life of the community is sacrificed ruthlessly ; but the life of the fertile and impregnated female, because essential to the life of the community, is guarded with jealous care.

Now, so long as human development was accompanied by little conscious purpose, its social rules were marked by the same indifference to the individual ; but in proportion as conscious purpose increases, indifference for the individual diminishes, until at last the right of the individual becomes not only recognised, but set as the end of community existence. For in human societies men do not live for the benefit of the State, but the State for the benefit of men. And here is another case in which the result of natural evolution in the lower animals is found to be in startling contrast with that of artificial evolution in man.

§ 4.—Natural Social Evolution Contrasted with Human Social Evolution

Now let us compare the two operations in so far as the relations of the individual to the community is concerned.

According to Nature's plan, the most fitted to the environment alone survive. This is equally true of solitary animals and communities. Amongst solitary animals the individuals most fitted survive ; amongst animals that live in communities, the communities best

fitted survive. There is no justice, no equality in bounds of action, but a cruel inequality in benefits. The only difference in the two cases is in the character of the environment. In the case of solitary animals it is the environment determined by the struggle between individuals ; in communities it is the environment determined by the struggle between communities.

But with the appearance of self-restraint all these conditions change—not suddenly, because self-restraint did not appear suddenly, but slowly ; in proportion as self-restraint prevails. Let us consider briefly some of the changes which have taken place, or rather are taking place, and to which the efforts of mankind are tending.

Under the reign of Nature, animals were slaves to lust ; upon its uncontrollability depended the perpetuation of race, upon its ferocity depended its improvement. Under the reign of man, lust is replaced by love, which is the offspring of self-restraint and the parent of mercy.

Under the reign of Nature, the carnivora survived in proportion to their ferocity and strength. Under the reign of man, ferocity is replaced by courage, and courage again is the offspring of self-restraint and the parent of patience.

Under the reign of Nature, the herbivora are driven to herd by fear. Under the reign of man, fear is replaced by reverence, which is the offspring of religion and the parent of self-respect.

Under the reign of Nature, millions are sacrificed that a few may survive. Under the reign of man, few are sacrificed that all may survive.

Under the reign of Nature, individuals are sacrificed to the community. Under the reign of man, the community is by art made to serve the individual.

Under the reign of Nature, animals yield to changes of climate either by migration or by adaptation of function thereto. Under the reign of man, changes of climate are resisted and new climates created by art. Adaptation of function is thereby rendered unnecessary. Man, instead of yielding to climate, subdues it, and from the very harshness of it derives the hardihood that makes character.

Under the reign of Nature, environment would mould man. Under the reign of man, man moulds the environment.

This battle with Nature gives rise to a number of consequences, however, that are not always favourable to the race. For example: under the reign of Nature, the types most favoured by the environment are the types which are most fertile and perpetuate the type; under the reign of man, the types most favoured by the environment are least fertile and the race is perpetuated by the types least favoured.

Under the reign of Nature, the battle is for life or death; under that of man, it is for wealth, power, and consideration.

Under the reign of Nature, battle favours bulk and muscle; under the reign of man, it favours brain and nerve.

Under the reign of Nature, sexual selection favours the strong; under the reign of man, it favours the rich.

However unfavourable to the race be the last category of differences between the methods of Nature and those of man, let us direct our attention for the present to the first, postponing a little the consideration of the last.

§ 5.—*First Attempt to describe Justice*

It is clear that in all the changes set forth in the first groups the factors chiefly at work in human evolution are human wisdom and human effort, ceaselessly engaged in resistance to Nature. And in political matters this effort is clearly directed to altering the conditions in Nature which sacrifice the individual to the community ; that is to say, the conditions that create inequality in ‘bounds’ as well as in ‘benefite’ and that know no law save that of might. So if the inequalities, the capriciousness, and the cruelty of Nature can, from the human point of view, be regarded as making up injustice, human justice is the effort of man to repair the injustice, or rather inequality, of Nature.

In presenting this view of justice I cannot too much insist on the fact that I am not offering it as a definition of justice regarded as a sentiment, an idea, or a virtue. Concerning all these things men will vary, and concerning them political students will for a long time yet be divided. The view is presented as an effort to distinguish the act of justice from our sentiment of it, and as a starting-point from which we may eventually arrive at conclusions regarding what sentiments of justice are sound and what unsound ; what ideas regarding it practical and what unpractical ; so that we may reconcile sound sentiment with practical ideas, both being built upon a correct notion of the thing itself. For it is clear that there are two elements engaged in this struggle with Nature that I have called ‘justice,’ both of which materially affect the result of it : one is its intelligence, and the other its good-faith. If there be good-

faith, but not intelligence, the result may be—not justice, but injustice ; so is it if there be intelligence, but not good-faith. Now, when the struggle with Nature results in injustice, there is unlimited room for discussion as to whether the failure of justice be due to folly or to bad-faith ; and unlimited room for suggestion as to how the failure in justice can be repaired according to the theory regarding it that is adopted. Hence the endless discussion which has divided philosophers regarding all problems which involve justice. But this discussion concerns the *consequences* of justice, not justice itself ; for the act of justice itself is the struggle, the effort to make the inequality of Nature bear as little hardly as possible upon her victims ; and our sentiments or ideas about justice are the notions of the heart or head which we have consciously or unconsciously acquired as to the extent to which we believe this struggle can or ought to be successful. In other words, while there is room for unlimited difference of opinion regarding methods of justice and standards of justice, there is no room for discussions regarding the struggle with the inequality of Nature that constitutes the act of justice itself ; for this struggle is a fact as clear and unmistakable as the struggle for food, for life, for wealth, or for pleasure : it is the struggle for equality. We may differ as to how far equality can be attained, but the fact of the struggle itself is as patent as the fact that it has been heretofore extremely unsuccessful.

The importance of distinguishing our sentiments of justice from the act of justice may be illustrated by comparing the mental attitude of a man to so-called rights of property who had lived under such a system as our own with that of a citizen of the community which according to Plutarch once reigned in Sparta. To us the right of a man to property which he has

acquired by toil, gift, or inheritance, seems altogether consistent with our sentiment of justice ; this sentiment is the product of the very conditions which created rights of property. We approve of rights of property because habit, of which we are in large part the unconscious puppets, imposes upon us belief in the justice of these rights with a force which we are practically powerless to resist, because reason furnishes us with arguments that seem conclusive against the feasibility of disregarding them, and because imagination fails to conceive of the practicability of a political system which could dispense with them. And so our sentiment of justice is created for us, for the most part unconsciously, by the conditions under which we live. On the other hand, a Spartan citizen who had never lived under conditions which enabled one man to accumulate more wealth than he could use, at the expense of thousands who had not enough for the bare necessities of life, but, on the contrary, had grown up to regard every one of his fellow-creatures as entitled to an equal share in the commonwealth which all contributed to support and defend, would regard so-called rights of property as wrongs of the highest mercilessness and immorality. Here are two opinions regarding the same alleged rights so opposite that we seem driven either to condemn our Spartan as a fool or ourselves as knaves. Now, between these different apprehensions of justice there is a thing, a fact, an effort which is totally different from the one apprehension and from the other. What this effort really is, what are its limitations of action, what its limitations of success, we can never learn by abandoning ourselves to the impressions unconsciously produced by the very conditions which are under discussion. We must somehow or another release ourselves from the bondage of these impressions before we can discuss the wisdom of

the conditions which give rise to them. We are familiar with the rule of law, that no man can be allowed to be judge in his own cause ; and yet we, students of social and political institutions, are for the most part, by virtue of the very leisure and education necessary to study them under existing competitive conditions, members of the very class the justice of whose existence is in question.

Again, the fact that selfishness is with most of us at the bottom of our notions of justice is amply evidenced by the unanimity with which wealthy men regard the competitive system as necessary and just, and the corresponding unanimity with which the unwealthy regard it as unnecessary and unjust.

And so habit and selfishness—both of them the product of non-moral and unconscious Nature in us—are the main factors which have contributed to form our sentiment of justice.

Moral forces, it is true, are also at work in forming it ; but it is extremely doubtful whether they contribute very usefully to the modification of our institutions ; for when unenlightened sentiment takes up the cry for reform, it generally does so with still greater disregard of the real elements in the problem than enlightened selfishness. The latter at any rate does, in creating great wealth for a few, produce conditions of comparative prosperity for many ; whereas the former, by breaking down the wealth of the few, may at the same time destroy the comparative prosperity of the many who depend on them. One of the chief merits claimed for the competitive system is that by keeping capital dependent on labour, through the alleged freedom of contract which the latter enjoys, both are as it were automatically prevented from oppressing each the other. However much the operation of this system may be

found to favour capital, there is no doubt that it checks capital also to a certain degree ; and there is no doubt that it would be dangerous to suppress this check unless there was a demonstrably superior system to put in its place. We have therefore to be as much on our guard against unenlightened altruism as against private greed ; the sentiment of justice created by the one may be as little conformable to wisdom as that created by the other.

All these considerations, then, seem to point to the necessity of getting away from sentiments of justice, if we are earnestly desirous of determining what the thing justice itself is.

If we read the speculations of philosophers up to the close of the eighteenth century as to the nature of light we shall be struck by the amazing absurdities¹ into which they were led by the fact that, although all were ready to theorise about light, no one of them had taken the trouble to study the thing itself ; no one suspected that it was a wave ; no one knew the laws under which the wave moved. Has not something of the same kind occurred regarding justice ? Instead of looking at the facts in our social system out of which justice grew, and studying what justice itself is, we have allowed our attention to be led away by the infinitely more difficult effort to reconcile conflicting ideas regarding justice, notwithstanding the fact that these ideas must remain irreconcilable until we agree upon what the thing itself is that has given rise to them.

If now we return to the discussion of what the act of justice is as contrasted with our sentiment of it, we cannot but recognise that the first great result of human justice has been to put an end to the *lex fortioris* which prevails in the domain of Nature. Animals are born

¹ See, for example, the doctrines of Democritus.

unequal : some of them excel in muscle ; others excel in craft. The law of Nature is a law of war, in which those animals presenting the combination of muscle and craft best fitted to cope with the environment survive ; and in the case of animals which live in communities it is those communities which in the struggle with other communities present the combination of strength and craft best fitted to cope with the environment that survive. The action of the environment is automatic, unconscious, and non-just ; it is non-just because it entirely ignores the individual rights of life, of limb, and of property which by a singular irony of language have been called by jurists 'natural rights' ! Obviously it is improper to describe as 'natural rights' those which are conspicuously absent from Nature, and result only from human resistance to the inequalities of Nature that I have called 'justice.'

§ 6.—Rights under the Law of Man contrasted with So-called Rights under the Law of Nature

Now let us consider for a moment what rights are from the point of view of our definition of justice :

Under the law that prevails in Nature neither life nor limb of any animal is respected : the more powerful animal devours the less powerful ; flood, fire, storm, climate, are no regarders of persons. Under the law of man, on the contrary, the more powerful are not permitted to destroy the less ; and the extent to which the forces of Nature still sometimes sacrifice human life is the extent to which our struggle against Nature is still unsuccessful.

Under the law that prevails in Nature rights of property are unknown : the hawk captures a squirrel ; the eagle swoops past and takes the squirrel from the

hawk. Under the law of man, on the contrary, right of property in the product of human labour is recognised : the weak man cultivates a garden ; the strong man is compelled to respect the weak man's right to the fruits of it.

It would be waste of time to multiply instances : Nature is stamped by unconscious indifference to justice ; man by conscious regard for it. Civilisation is the substitution of an effort to protect the individual for Nature's plan of cruelly disregarding him.

Now, a great deal of confusion would be eliminated could we be persuaded to abandon the bad habit we have acquired, and which it has been impossible to disregard, of personifying Nature and deifying her. For Nature is not an entity ; she is not a single power or a single personality ; she is a battleground upon which are for ever struggling forces eternally opposed to one another. If we confine our glance to the inhuman side of Nature, she seems in cruelty to go far beyond the imaginings of man. If, on the other hand, we confine our view to her brighter side, she seems to justify the rhapsodies of her least discriminating worshippers. We cannot afford to take so one-sided a view as either of these. Nature is neither the altogether cruel thing that pessimists would make her out to be, nor the matchless paragon of such authors as Wordsworth and Rousseau. But it is not for political students to enlarge upon the tenderness of spring or the opulence of autumn. The glories of sunrise and the pale splendour of the moon have no special lessons for searchers after the best forms of government. To us the important part of Nature's plan is that which concerns the relations of animals to one another, and a comparison between Nature's system of animal association and that devised by man. If Nature's system has been correctly described in the preceding pages it is the cruellest conceivable, and may

be summed up in the words *lex fortioris*, with all the consequences that result therefrom.

This *lex fortioris*, however, is subject to one important exception : it yields to the law of the community for animals that live in communities. But it has been shown in the case of bees that Nature's community law is productive of as much cruelty and injustice to the majority as the *lex fortioris* itself ; that the difference between the injustice which prevails in the predatory plan at large and the predatory plan as modified by community life is that in one case the individual is sacrificed to the whole species, whereas in the other he is sacrificed to the particular community to which he belongs. The sacrifice of the individual is the law of Nature. Now, I take it, the protection of the individual is the effort of man.

§ 7.—Second Attempt to describe Justice

If the above statement be true, we can advance the description given of justice another stage by an important addendum. Justice is the effort of man to repair the inequality of Nature, and particularly to protect the individual as well as the race.

Now, if we study a little the operations of the human system as contrasted with that of Nature, we shall be struck by a few facts of no small importance in their relation to government :

1st. Man has so completely reversed the system of Nature that the muscularly strong man, instead of being lord of the muscularly weak, is to-day the slave of the muscularly weak. No one would hesitate to predict the result of a wrestling match between an average navvy and an average millionaire.

2nd. Man has so completely reversed the system of Nature that the individual, instead of being sacrificed to the race, is in many respects to-day favoured at the expense of the race.

3rd. The moral type which man has set up for himself in theory as the desirable one—that is to say, the unselfish type is the very one which all his industrial and some of his political institutions tend to destroy.

4th. The type which man has denounced in theory as the most socially pernicious—that is to say, the selfish type is the very one which all his industrial and some of his political institutions tend to perpetuate.

5th. The intellectual types which man in theory has decided to be most useful to the race—that is to say, the man of invention, imagination, and grasp—is the very type which tends not to perpetuate itself.

6th. The unintellectual type, which man in theory has decided to be the least useful to the race—that is to say, the ignorant man—is the very type that does most perpetuate itself.

This list of contrasts between Nature's plan and our own is by no means complete; but it serves, I think, to demonstrate that human devices are by no means in every respect an improvement on those of Nature, and it also serves to accentuate the extent to which man has reversed the system of Nature in some of her most essential processes.

Now, the extent to which man has failed to improve upon Nature's plan is the basis upon which most Nature-worshippers build their shrine, and it cannot be denied that there is ample room for it. It is true that man in his effort to eliminate the ferocity of Nature has opened the door to other evils, but it is also true that these evils are small by the side of those he has

eliminated. The task of the political student is to study the evils that result from man's interference with Nature and to devise methods, if possible, for eliminating these also. In this respect it differs little from that of the medical practitioner. Modern science is practically unanimous in adopting the maxim that medicine is usually best employed in aid of Nature, and not in spite of her ; but this does not prevent medicine and surgery from interfering far more than in those days when pathology was less understood. The difference between modern and ancient pathology is not in the quantity of interference, but in the quality of it. What medical practitioners are striving for is knowledge ; and as knowledge increases, interference becomes more wise and more effectual. Knowledge of facts and judgment in applying knowledge of general facts to particular cases make up medical wisdom, and medical progress is allowed to proceed unhampered by such unjustifiable doctrine as that interference with Nature is bad *per se*, or that Nature is perfect and must be allowed full sway, or that the medical profession must 'learn how little it can do,' 'must be content to do that little,' and sit as spectators at the carnage of disease 'uniting philanthropic energy to philosophic calm.' Far from adopting any such paralysing doctrine it is ceaselessly engaged in revising its methods so as to make them conform to new light, and while the revision of these methods sometimes occasions a diminution in the extent of interference, at other times it greatly increases it. Thus the old practice of blood-letting has been almost entirely abandoned. It has been demonstrated that in cases of diseases due to bacteria the blood is the agent through which the anti-toxin is formed upon which the patient must depend for the destruction of his bacterial enemy, and that to diminish the amount of the blood is to

diminish the resources of the patient; on the other hand, it is equally recognised that there are individual cases, depending upon the temperament of the patient, in which blood-letting is not only advisable, but indispensable—as, for example, in some forms of sunstroke, Bright's disease, uræmia, pneumonia, and endocarditis. So even in perhaps the most noteworthy case in which interference with Nature has been diminished, the diminution has been discriminating; or, in other words, modern science has not condemned blood-letting altogether, but only confined it to particular cases. On the other hand, in other directions interference has been much increased. Inoculation, the use of which has of late years been greatly extended, is perhaps the most daring interference with Nature that has ever been conceived by man. It is indeed difficult to imagine a more audacious stratagem than that of meeting the attack of disease by a counter-attack in every way similar in kind; for no other is the process by which the serum of an infected animal is poured into the blood of the human patient. And in the domain of surgery the increase of interference is perhaps still more appalling to the layman. The knife is now applied to the brain and the intestine with almost as little risk as to any other part of the body. Facial neuralgia has been relieved by removing from under the brain the Gasserian ganglion; the kidney, the spleen, the appendix are removed altogether, although every such operation involves the opening of the abdominal cavity, which before the discoveries of Lister could not be opened without death. Even the brain, liver, lungs, and heart itself have been harmlessly penetrated by the surgeon's needle.

But the greatest strides made by modern medicine are in the direction of prevention and diagnosis. For

example : cases of typhoid, scarlet-fever, and diphtheria are diminished, not only in number, but in severity, by the intervention of the State under the direction of the medical profession ; the diagnosis of typhoid has within the last few years been rendered certain by the bacterial action of the patient's blood, and the treatment of nervous diseases is being revolutionised by the use of such devices as hypnotism in aid of diagnosis.¹

Now, diagnosis is to medicine what historical research is to politics, for diagnosis consists in a mathematical argument from facts assisted by an exhaustive system of exclusion. The aim of the doctor is to acquire knowledge, and the extent of the interference with Nature which knowledge suggests is a matter to him of complete indifference provided only his facts can be depended on.

If, then, we can rid our minds of all notions regarding the sanctity of Nature derived from false philosophies, and look on her as she really is, we shall have eliminated one of the greatest obstacles to sound reasoning regarding man's *rôle* in regard to her ; for then we shall see that there are at work in the domain of Nature two sets of forces which we have not yet succeeded in certainly distinguishing from one another, but which are nevertheless perpetually engaged the one in promoting life and happiness, the other in destroying them. We are daily learning more about these forces, and particularly learning to distinguish which are our friends and which our enemies ; and just as medical men are engaged in marshalling on our side those forces which make for health and against disease, so political students ought to be engaged in marshalling on our side those forces which make for social happiness and against social

¹ The use of hypnotism in diagnosis is daily employed in the New York State Hospital to distinguish hysteria from paralysis.

misery. Nothing is so little trustworthy as *a priori* doctrine built upon so-called immutable laws of Nature. Man has undertaken a war upon all the tendencies in Nature which result in disease and unhappiness, and he can only succeed in this undertaking by allying himself with those forces in Nature which tend toward their respective opposites. Nature is neither his friend nor his foe ; she includes both, and is in large measure indifferent to both. It is upon our own intelligence, effort, and self-restraint that we must mainly depend in this ceaseless struggle ; it is according as we are wise that we shall be well.

If, however, we compare what seems to be the purpose of man in his fight against the hostile forces in Nature with the result of that fight, we cannot but be struck by the extent to which folly and not wisdom has controlled his conduct, and the extent to which injustice and not justice has determined the lots of men. And if we are to undertake to study the reasons of these things, it may be well for us to recapitulate from a slightly different point of view the conclusions to which we have heretofore come, in order to estimate at their proper value some of the obstacles which have so far stood in the way of the attainment of justice.

§ 8.—*Obstacles to the Attainment of Justice*

Man mainly differs from other animals in degree of intelligence and of morality. The difference in intelligence is probably not so great as that of morality ; it is man's great and growing capacity for self-restraint and all the branches of morality to which this capacity gives rise that most distinguishes him. Morality and intelligence together set man upon resisting muscle and putting an end to the *lex fortioris*. He

found himself pitted in this struggle against two of Nature's tendencies : one which sacrificed the individual to the species, and the other which sacrificed the individual to the community.

The effort by social laws and social institutions to protect the individual from the application of these two tendencies of Nature is the effort which has been described under the name of justice.

Let us consider now what has actually taken place in the struggle of man against these tendencies in Nature.

The most conspicuous fact in connection with this struggle is that all early civilisations are characterised by a subjugation of muscle by mind, and that in the process of subjugation religion has played perhaps the principal *rôle*. In the civilisations which developed from the family the authority of the patriarch rests upon his priesthood, and in those which show no trace of patriarchal origin the king is either himself a priest or his authority rests upon a caste of priests. If no purer religion preceded that of which we read in ancient history, then it would be more correct to say that authority was in those days propped up by superstition rather than by religion. But it is certain that our records are incomplete, and it is therefore possible that the superstitions of ancient history as little represented the religion upon which they were built as those of the Middle Ages did the religion of Christ. Under any circumstances it is altogether natural that morality should have early allied itself with intelligence to combat brute force. The qualities which accompany brute force are ferocity, violence, intemperance, licentiousness, and self-indulgence. These qualities in the strong are the very ones against which the weak have by association to protect themselves ; they are the very ones

against which morality is for ever waging an unequal war. It is clear therefore that morality and intelligence are natural allies in this ceaseless conflict, and that if we could keep morality free from superstition she would be always found siding with intelligence in supporting social conditions which would keep brute force under control.

Unfortunately, intelligence is found more often doing the work of selfishness than that of altruism. In other words, in the social struggle craft has not been slow to profit by the advantage which was to be gained by the support of morality ; so it early came to pass that although mercy in partnership with intelligence produced all that was best in the world, intelligence under the cloak of mercy produced much that was worst in it. Recent events have illustrated this process : Two groups of citizens during 1898 wanted war with Spain for interested reasons—the group of manufacturers and producers, who needed new markets ; and the group of Republican politicians, who desired a new lease of power and another distribution of spoils at the next election. These two groups were probably not strong enough to force a war upon the nation alone. But as soon as the people who had no personal interest in the war became inflamed with indignation at the cruelty exercised by the Spaniards on the 'reconcentrados,' the humanity of the mass became the stalking-horse of the politician, and humanity declared a war that mere selfishness without humanity might have been powerless to declare.

In much the same way selfishness masquerading under the guise of humanity preserves the institution of private property ; for it avails itself of the undoubted fact that capital furnishes employment to labour in order to keep the labourer in prudential subjection.

The usefulness and necessity of the institution of private property must be left to another occasion. The fact, however, that it has been and still is useful and necessary does not prevent the possibility of its becoming one day unnecessary and unjust; nor does it affect the fact that egotism uses humanity to preserve the institution and bolster it. The war with Spain too may have been both useful and necessary, but private interest nevertheless used morality to bring it about.

So long as intelligence is engaged in the effort to enslave muscle for an interested motive, it is doing a work of despotism; it is only when intelligence is inspired by mercy to control brute force for a disinterested motive that it is doing a work of morality.

Intelligence in the service of selfishness can but reap the fruits of selfishness—hate; but intelligence in the service of mercy reaps the fruits of mercy—love. And if we read our human records to find when, if at all, mercy has received her fair share in the profits of the partnership we shall be humiliated by the admission that we shall be compelled to make—that so far our social system has been one in which mercy has been for the most part sacrificed.

And it would be surprising had it been otherwise. For, in the first place, it is only during the last century that we have acquired any positive knowledge regarding the laws of Nature against which we have been unconsciously struggling; and so gross has been our ignorance on the subject that although the law of Nature which determines the relations of animals to one another is the cruellest possible, we have used the words ‘law of Nature’ to mean the least cruel, the most merciful, the most ideal law conceivable. And the confusion thrown into our ideas regarding natural law by this error of language is so far-reaching that intelligent conclusions

regarding government have been made difficult if not impossible by it. In the second place, until lately there has been but little sustained deliberate purpose on the part of those engaged in the work of government to frame political institutions in accordance with principles of justice. Sometimes, it is true, isolated individuals such as those already referred to have made efforts to do so, and their efforts have been partially successful ; but seldom, except during this century, has their success been permanent. Such justice as has obtained in government is far more due to the selfish struggle for power which is ceaselessly taking place. But so long as selfishness is the motive for the struggle, the effect of it is seldom more than to transfer power and wealth from the hands of one selfish group to those of another group equally selfish. At times the struggle lies between groups which differ in degrees of selfishness, and if the less selfish prevail there is improvement in general conditions ; but it is certain that at no time since the dawn of civilisation until now has there been in the mass of the people a permanent enough concurrence of wisdom and unselfishness for these during any considerable period to prevail in the constitution or maintenance of political systems.

Neither of these obstacles to sound government any longer to the same extent remains ; there is no reason why our statesmen should any longer fail to the same extent to understand what their duty to the people is, and there is a growing desire on behalf of a daily increasing fraction of the people to hold statesmen to that duty so far as it is clearly understood.

But there is a third obstacle to the reign of justice which is almost as great to-day as a thousand years ago, and which will probably never altogether yield to human wisdom or human effort so long as the existing

laws of Nature prevail ; and this obstacle is no other than Nature herself—or, rather, those forces in Nature against which we seem doomed eternally to strive.

I think it is the failure to recognise this fact that makes the impracticability of most of the schemes of Socialism and Collectivism which have as yet been propounded. They seem to start with the false assumption that man can by a system of government—by a mere human device—with a single effort subdue all the hostile forces in the environment. And the popular acceptance of proposals which make such flattering promises as these is largely due to the eagerness with which man has always listened to those who held out to him the hope of escape from the bondage of sorrow in which he has been by Nature chained. This must not be understood to mean that man must always remain as unhappy as he now is ; that injustice must continue to prevail as it now does ; and that wealth must continue to corrupt the wealthy, and poverty continue to enslave the poor. But it does mean that these evils are probably not to be eradicated by any single effort ; that probably they can never be eradicated altogether ; and that we are doomed to a patient and ceaseless strife if we desire to see them lessened at all. On the other hand, it is possible that this strife is the highest effort in which man or woman can be engaged, and that it bears in its very toil and trouble the seeds of the truest happiness.

And it is because the exaggerated and unrealisable promises of most forms of Socialism have lifted the hopes of some too high, that it is all the more important to study, with the calmest deliberation, just what the obstacles to the realisation of perfect justice are ; so that, in arriving at our conclusions about government, we may not by aiming at too much accomplish nothing.

§ 9.—*Men are not ‘Created Equal.’*

It has been suggested that the act of justice is the effort of man to repair the injustice of Nature. This account of justice depends for its truth upon the fact that there *is* injustice in Nature ; or, since Nature is non-just rather than unjust, let us say that there are inequalities amongst men which would make some men the victims of others did not human justice step in to prevent it. Indeed, the attempt has been made to show that in the absence of human justice the majority would, under the law of Nature, be sacrificed to a small minority. Now, we have the authority of the Roman jurists for a very opposite doctrine. It is the ancient maxim of Roman law that *omnes homines natura aequales sunt*, and the Declaration of Independence opens with the statement that there is no inequality amongst men, but that on the contrary ‘all men are created equal.’ So long as this heresy prevails, there is no hope of sound ideas on the subject of government.

It is true that the error conveyed in this opening sentence has been explained away by the addition of the words ‘under the law’ ; that is to say, that all men are born, *politically*, free and equal. But even with this addition the error is only diminished ; and the little by which it is diminished makes it all the more subtly dangerous ; for an explanation which is apparent, but not real, serves by satisfying superficial attention to silence and extend error.

The son of a millionaire is born into a condition of power and consideration ; the son of a pauper into one of servility and degenerateness. To say that because each can at the age of twenty-one cast one vote and no more in political elections, therefore both are politically equal, is to keep the word of promise to the ear and

break it to the heart. The millionaire not only controls millions of dollars, but through these millions of dollars he controls thousands of votes ; and what is perhaps still more to the purpose he influences hundreds of legislators. Nay, more, in consequence of the expense of litigation he influences the courts also. Poor men cannot afford to litigate.

Neither politically, then, nor under the law, nor in any sense of the word can it be said that men are born free and equal. On the contrary, some are born masters, others born servants ; some are born strong, others are born weak ; some are born intelligent, others are born unintelligent ; some are born good, others are born bad ; one man is born with every grace that can make him loved by his fellow-creatures, another with every vice that can make him hated by them. This inequality seems too obvious to require commentary or exposition. The sentence in the Declaration of Independence which denies it is the fruit of a philosophy which is dead, and no longer ought to need refutation.

The truth seems, then, rather to be that men are born neither free nor equal. Our next inquiry will be to distinguish between those inequalities which are due to Nature, and those which are due to political institutions ; for although our control over the one is small, our control over the other is—or should be—considerable.

§ 10.—*Natural Inequalities and Artificial Inequalities*

What, then, are the inequalities among men which are due to Nature, and what are due to our interference with Nature ? And over what inequalities have we control, and what is the character of this control ?

It may be said that complete answers to these questions involve practically all the problems of government.

We shall here, therefore, attempt only a very summary answer.

The most obvious *natural* inequalities are those which distinguish men at birth without regard to social position. Men differ from one another as much as, if not more than, the lower animals do. Indeed, it has been already pointed out that variability is part of Nature's scheme ; that it is through the selection of the environment exercised upon the differences between individuals of a species that species improve or degenerate, according as the environment is favourable to improvement or degeneration. So if there is no variability or difference between one individual and another, there is no room for the operation of selection, and therefore no possibility for improvement. There is always possibility for degeneration ; mere crowding will accomplish this ; but for improvement variety is indispensable. Now, it has been pointed out that the ability of man to make an artificial environment for himself in no way affects the fact that selection is exercised by this environment. In other words, whatever be the character of the environment, artificial or natural, improvement in the race will depend upon the selection exercised by this environment ; if the human type is to be improved—and we can never increase happiness or sensibly improve government until it is—it must be by the selection exercised by a favourable environment upon the differences between men. Not only, then, do inequalities of birth obtain in every civilisation to-day, but it seems as though they must continue to obtain so long as there is hope or room for improvement.

Here, then, we strike against an insurmountable barrier to the equalisation of men ; not only are they born unequal, but they must continue to be born unequal, or no improvement can take place. In other

words, it is vital to the interest of the race that the environment be such as to tend to the birth of better types ; and so long as better types are produced these better types, being superior to the rest, must make *natural equality* between men impossible.

We have to conclude, therefore, that variability in offspring (and this is only a scientific term for natural inequality at birth) is essential to the improvement of the race, and that no form of government which would tend to obliterate variability is commendable.

Another obvious natural cause of inequality among men is climate. Modern science has not yet found a way to produce a higher type of man at the Pole than the Esquimaux, or in the desert than the Bedouin. Climatic causes of inequality may be divided into two classes : those that are permanent, and those that are temporary. Montesquieu, Buckle, Herbert Spencer, and others have demonstrated the important *rôle* which climate plays in determining national character and national institutions, and it is unnecessary therefore to repeat here all that has been elsewhere written on the subject ; but the temporary effects of climate, as, for example, frost in Florida and drought in Kansas, have an effect in creating inequality and injustice which we must carefully distinguish ; for while they impoverish certain groups, they tend, by correspondingly increasing the value of crops in other districts, to enrich others. In a Collectivist State there would here take place a compensation which seems impossible under our present system. The importance of distinguishing between the permanent effects of climate and those that are temporary will be felt when we come to consider to what extent man can repair the injustice occasioned by them. It is probable that he is far better able to compensate the

inequalities produced by temporary effects of climate than the inequalities produced by those that are permanent.

The third and last great natural cause of inequality among men is the difference in the fertility of soil. The effect of the soil and climate on civilisation has already been briefly referred to ; and it has been shown that civilisation developed earliest in those countries where the climate diminished needs to a minimum and the soil reached the maximum of fertility. China, India, and the Valley of the Euphrates in Asia ; Egypt in Africa ; Greece and Italy in Europe : Mexico, Central America, and Peru in America, all tell the same story. But where needs are few and soil is fertile, there the standard of living is low and population increases unchecked. A teeming population presents the conditions which reduce wages and puts an improvident people at the mercy of the provident minority ; hence in proportion as a climate is enervating and soil fertile, does the people tend to be subjected to despotism. On the other hand, where climate is bracing and the soil irresponsive to anything less than continuous labour, there the necessity for toil creates the character which resists oppression, and there absolute government tends to yield before the will of the people.

It is to the very infertility of the soil, then, and to the very harshness of the climate that the people in great part owe the small measure of political justice they now enjoy. Natural causes seem in the case of climate and soil to have brought upon the social field of action a new factor—human effort—that is opposed to them. As has been already pointed out, it is human intelligence, human capacity for self-restraint, human effort, that converted the enemies of man in Nature into his allies ; and the

more we advance in our study of the effect of soil upon human institutions, the more we become converted to the theory suggested by Huxley,¹ but not elaborated by him—that natural and political inequalities are too intimately associated to be studied apart. He perhaps claims too much when he says that ‘the latter are essentially a consequence of the former.’ He must demonstrate that the injustice attending the distribution of wealth to-day is an ‘essential consequence’ of natural inequalities before he can make good this too sweeping assertion. But he is undoubtedly right in claiming that political inequalities *take their start* in natural inequalities, and this is perhaps all he meant to say. And there is probably no subject regarding which this is more true than the one now under discussion ; for if we turn from the consideration of soil in its effect upon national institutions to its effect upon individuals of the same nation, we shall find that our whole industrial system, with all its imperfections, is possibly the outgrowth of this single natural inequality.

For property in land doubtless marks the great epoch in civilisation when the nomad ceased to wander and undertook the continuous labour of agriculture ; and property in land involves property in the fruits of the land ; and upon respect for the right of property all progress in civilisation has depended. The difference between the law of Nature and that of man is, that under the law of Nature no rights are recognised, whether of life, of limb, or of property ; whereas under the law of man all three are not only respected, but the extent to which they are respected is in general terms a measure of the degree to which a community is civilised.²

¹ *Methods and Results*, p. 302.

² This is not stated as necessarily true in the future, but as a fact in the past.

Now, it is probable that property early became recognised only in those things upon which labour had been expended. The theory of the physiocrats, so warmly espoused by Karl Marx and Henry George, that labour was originally the only excuse for property does not seem historically correct. The property of a Greek or Roman family seems to have rested far more upon religion than on labour. Nevertheless it is undoubtedly true that labour recommends itself to the moral sense of to-day as the principal justification for property. Now, labour spent upon one soil is highly productive ; whereas that spent upon another is quite the reverse. Compare, for example, the valley of the Nile with the downs of Sussex, or the plains of Iowa with the hills of New England. This cause of inequality, however, has been corrected by the system of rent, which tends to equalise the man who, because he tills infertile land, pays small rent with another who, because he tills fertile land, pays more rent. But in equalising the condition of one farmer with another it sets up another class, the idle landlord, the inequality of whose advantages compared with the condition of the toiling farmer is as great as that which put one farmer in a better position than another on account of the natural differences in the fertility of soil.

Again, the inequalities between men arising from differences of fertility of soil can be neglected as insignificant by the side of the inequalities produced by differences in the value of soil arising out of artificial conditions created by man—as, for example, in the centre and neighbourhood of large cities ; and this is why I said a little while ago that it is difficult to separate the study of natural inequalities from those that are artificial or political.

Even the inequalities which arise at birth are by no means independent of artificial and political conditions.

It has been already pointed out that our institution of marriage bristles with injustice and inequalities ; that it creates the haggard horde of prostitutes ; that under the dominion of wealth it condemns one class to misery through its fertility, and another to a different kind of misery through its childlessness.

And so, in the framing of our social and political systems, we have been like unskilful men who seek by building a dam to raise the level of a stream, and are disappointed because despite the dam the level remains the same ; for we have imagined the work was accomplished when a log was thrown across the river-bed, and have not understood that the river, as soon as its course was interrupted, would by the pressure of its increasing bulk upon its banks infallibly discover their point of weakness, and, bursting through at that point, make a new river-bed, and thereby leave the level at the dam no higher than before. At every point where we resist Nature—and we have to resist her at many points—the very success with which we resist her discovers lines of weakness elsewhere which she will generally discover before we do. If we undertake to dam up the stream of misery at one place, it may only accumulate to flow otherwhere in a still more devastating flood ; if we endeavour to relieve the distress of the poor by outdoor relief we break down the self-reliance which alone can be depended upon to keep our fellow-creatures self-supporting, and by contributing to support one class we lower the wages of another with which it competes ; if we endeavour to relieve this misery by confining the poor in institutions, either we must confine them too short a time to effect an improvement or the State dwellings of the pauper will threaten to outnumber the private homes of the thrifty ; if by Protective tariffs we create an artificial industrial prosperity, increase in

population consequent thereupon will tend again to reduce working men to the starvation wages from which ill-conceived legislation had only temporarily rescued them. I do not mean to say that there is no better alleviation for pauperism than pauperising alms or multitudinous institutions ; or that because Protection does not permanently improve the condition of wage-earners no plan can be devised that will do so. On the contrary, I am striving to point out the inutility of half-measures and the danger of that little knowledge which makes half-measures possible. If we undertake to dam a stream, let us be prepared not only to make our dam strong, but to make the banks strong also. If we undertake to relieve pauperism at all, let us relieve it thoroughly and in such a way that we shall neither break down self-reliance nor add hypocrisy to indifference by pretending to cure an evil that half-measures only serve to stimulate.

But above all things must we keep in mind that in spite of all our efforts we shall still remain confronted with the inequality which Nature stamps upon men at their birth ; with the selection which our environment, however mercifully and intelligently devised, must exercise upon this inequality ; with the tendency to degenerate which attends changes of condition ; with the merciless limitations imposed by climate, the inequality occasioned by differences in the fertility of soil ; and not add to these natural, and some of them inevitable, occasions of unhappiness others which, because they are not natural, ought for that reason not to be inevitable. And amongst these non-natural causes of inequality the greatest is—wealth.

Much has already been said of wealth, and much more has in its proper context still to be said about it ; so in this connection it is not necessary to do

more than point out that wealth is the great result of civilisation. There is nothing in Nature prior to the advent of man which adequately corresponds to it, and nothing in Nature or man which is the cause of greater injustice and discontent. On the other hand, while it has been the greatest of all instruments of oppression, it has also been the lever through which the people have overcome oppression, and it has served a purpose which, though indispensable in the past, may perhaps be far less so in the future. But the function which wealth has played, and may still be called upon to play, must be left to another occasion.

There is one kind of natural inequality which we have still to consider, rather because it seems to be beyond the scope of political institutions than because it can be much, if at all, affected by them ; for it is no less important to know what political institutions can *not* do than to know what they *can* do.

The inequality herein referred to is that which arises from difference in personal attractiveness. It is doubtless possible for political institutions, by wisdom on the part of the State and self-restraint on the part of the citizen, greatly to mitigate the misery that results from destitution ; but that the State can otherwise much contribute to happiness is to be doubted. It, of course, negatively contributes to happiness by eliminating some causes of pain ; but it is entirely unable to contribute positively to the happiness which is the direct consequence of affection, or to alleviate the unhappiness which results from the absence of it. And if we consider carefully the elements which contribute the most to happiness and sorrow, they seem to resolve themselves into affection that is returned, and affection that is not returned ; most of the tragedies of life result from these,

and regarding these political institutions and laws are helpless.

Here, then, we come face to face with another limitation to the scope and usefulness of political action, and one which is too often overlooked by those who propose some form of Socialism as the cure for all human suffering.¹

§ 11.—*Criticism of Proposed Definition of Justice*

However undeniable may be the struggle against the cruelty and injustice of Nature in which man finds himself engaged, it is very possible that the propriety of giving to this struggle the name of 'justice' may be questioned. Indeed, the word 'justice' has been used to cover so many meanings that it seems a pity to extend its meaning still further; and there would be no excuse for so doing unless the new meaning served to render more clear those which to-day seem confusing, inconsistent, and obscure. How inconsistent are the uses to which the word has been put will appear from the fact that justice is sometimes used to mean equity, as when counsel at the Bar urges the justice of his cause; and is sometimes used to mean the opposite of equity, as when a plea is admitted to be conformable to strict justice, but not conformable to equity. In these cases justice is used in the first instance to mean abstract justice, in the second to mean the justice sanctioned by law—and these two, alas! are not always the same thing. Nor is there any concurrence amongst philosophers as to what justice is. Plato gave up the effort to define it, and found it necessary in his search for it to write a treatise on government, throughout which he believed himself to have embodied it 'writ

¹ This is conspicuously the case with the works of Edward Bellamy.

large.' Aristotle in one passage describes justice as the moderation of the love of gain or self-interest, but follows Plato's example in seeking the true definition of it in politics, where he defines it as the apportioning to each person his exact due, whether of reward or punishment. Both Plato and Aristotle perceived the intimate relation which justice has to government, but both did little more than prepare the way for the definition of the Stoics, adopted by the Roman law.¹

Although there seems to be much unwillingness to attempt anything like a formal definition of justice, there is not so much uncertainty regarding the exercise of it. Adam Smith thinks that justice admits of greater exactness in its exercise than other virtues. 'The rules of justice may be compared to the rules of grammar; the rules of the other virtues to the rules which critics lay down for the attainment of what is sublime and elegant in composition.'² And this is possibly due to the fact that habits of action have been acquired during thousands of years of social life which have created what Mill describes as a 'certainty resembling an instinct';³ from which some authors have inferred that justice was a divine gift bestowed on some and denied to others. This theory is rejected by Mill, who regards justice as an ambiguous word which roughly includes impartial application of the law and the sincere framing of law for the general good. He goes on to contend that there is no difference between a just law and an expedient law; that, in other words, in the making of laws justice is equivalent to expediency; and in this view of justice he is followed by many writers of to-day.

The contention that justice cannot be distinguished

¹ See *ante*, p. 283.

² Adam Smith, *Theory on Moral Sentiments*, Part III., chap. vi.

³ J. S. Mill, *Essay on Utilitarianism*, chap. v.

from expediency in the framing of laws not unnaturally shocks religious people, for to them the very word expediency suggests a compromise with principle. The Contagious Diseases Act is the kind of legislation which they are accustomed to hear recommended on the ground of expediency.

On a previous page I have suggested that wisdom might be defined as a combination of knowledge and morality. If this definition were adopted—though only for the purpose of this discussion—the word ‘wisdom’ might, I think, be substituted for the word ‘expediency’ without incurring the disapproval of pious people. In such case legislation that is wise would be recognised as identical with legislation that is just.

Now, the effort has been made in the preceding pages to show that knowledge of the laws of Nature against which we are pitted is essential to the success of the struggle; and the effort has also been made to show that if knowledge of the laws of Nature be coupled with a desire to diminish the cruelty and inequality of these laws, the nearest possible approach to justice will be attained. It does not seem improper, then, to define the act of justice as the attempt to eradicate the cruelty and inequality of Nature. And it has been shown that this attempt will never—so far as we can see—be entirely successful. Justice will never be an attainment; it will always remain a struggle; the proper definition of it, then, seems to be as already suggested—the struggle or effort to diminish in human relations the cruelty and inequality which characterise social relations in Nature.

If this be not an incorrect definition, it has the advantage not only of setting forth exactly what the act involved in justice is, but also of throwing light upon its expediency. The word expediency is hateful to many

ears ; and it has become so for the excellent reason that it forms part of the language of hypocrisy. Every unjust law is defended on the score of expediency, and many just ones opposed on the same ground. And words become so inseparably bound up in subsidiary meanings that they can be no longer used without raising a signal for temper and prejudice. No such objection exists to the word 'wisdom,' especially as herein defined ; for it is the presumed absence of morality which makes the word 'expediency' objectionable to the religious mind.

§ 12.—Advantages of Proposed Definition

One of the particular advantages claimed for the proposed definition of justice is that it puts limits to the claims of morality. These are likely to become exorbitant, unless they are put face to face with the impossibilities presented by Nature. We cannot do more than struggle against the pitiless conditions which, Divinity notwithstanding, have been imposed upon us ; we can, within certain limits, make new conditions ; and it is the making of these new conditions, by the increase of knowledge and the exercise of intelligence and self-restraint, that is the peculiar function of statesmen and political students ; but the success of our efforts will depend upon our ability to distinguish between obstacles in Nature that we can surmount, and those which we can do no better than circumvent. Hence the importance of keeping continually before our minds that in the service of justice we are engaged in a perpetual struggle against hostile forces, none of which we can overcome save by the exercise of wisdom and patience, and some of which we can probably never overcome at all.

In the course of our political studies we shall often come upon cases of misery and injustice from which morality is too often disposed to turn its head. Such a case is to be found in that of prostitution and all the curses that attend it. Prostitution is an evil with which morality is deeply concerned, and morality is faithless to its cause if it fails to seek a palliative if not a remedy for it. But the attitude of Churchmen to prostitution is apt to be either that of the Pharisee who crosses to the other side of the street, or of one who, by clumsy efforts to stamp out a fire, only scatters and spreads it broadcast. If morality, conscious of its inability to suppress prostitution, ignores it, or, ignorant of its tenacity, by imprudent attacks serves only to spread it, morality is clearly either neglecting its own work or helping on that of the devil. And this unfortunate alternative is mainly due to the fatuousness with which morality insists on blinding itself to a patent fact—namely, that when a race has got its sexual passions under such easy control that it can without difficulty suppress their exercise the race is doomed to disappear. Nature has provided for the survival of the race by making this passion uncontrollable; religion teaches us moderation, not abstinence; but social conditions put a large fraction of us between abstinence and sin. Clearly there is something wrong here, and morality, by closing its eyes to obvious facts, is in part responsible for it.¹

Again, morality has adopted the theory that inasmuch as all men have souls all men are equally entitled to knowledge of the Gospel, and especially such words of the Gospel as convey the terrible threat ‘he that believeth not shall be damned.’ The consequence of

¹ No attempt is made here to suggest a remedy, because such a suggestion would involve a more thorough study of the evil than can be attempted in a parenthesis. Such a study must be reserved to another occasion.

this theory is, that although poverty and crime are breeding misery in the streets of our own cities—mainly in consequence of the lack of wisdom, charity, and means there—what means are at the disposal of those engaged in fighting misery, instead of being concentrated upon that part of the population for which we are responsible, is scattered abroad in Africa, Asia, and the South Sea Islands, for the benefit of a population for which we are not yet responsible. Now, if the moral people who subscribe to and engage in foreign missions had a realising sense of their political duties at home on the one hand, and of the limitations of time and space on the other, they would take care that the nearest duty was accomplished before they undertook that which because it is not the nearest is perhaps more attractive.

Still another example may be given of the exaggerated demands of sentiment masquerading as morality in so-called vegetarianism. I do not want to be understood as not sympathising with vegetarians ; on the contrary, if there were not laws of Nature in the way of it, I should deprecate and resist the killing of a single animal for human food. Dwellers in the city from whom slaughter-houses and even butchers' shops are kept at a discreet distance know little of the horrors which they condone, and of which indeed they become partners at every meal ; but those who have lived on farms far enough away from a market to be obliged to kill their own meat, soon become aware of what a merciless carnivore man is. Lovers of Nature are never weary of praising the peace and stillness of the farm ; and yet upon that farm daily are animals which have learned to depend upon and show affection to their master—man—treacherously murdered by him for purposes of food. It is difficult to understand how mercy and love can reign in a heart capable of lavishing tokens of tenderness on an animal

at one moment, and in the next, without the stimulus or excuse of anger, willing to cut its throat in order to replenish the cook's larder.

And yet what is the alternative? Assume for a moment that we can do without animal food, and that a spirit of mercy decides us to forbear from the destruction of the lower animals—what will be their fate? Abstention from animal food would compel man to have larger recourse to products of the soil. But the cattle whom we desire to spare would compete with man for these very products; and if there is not enough fertile land for our own race to-day, what should we do when we are compelled by vegetarianism to make room for countless herds of cattle, sheep, horses, buffalo, and other graminivora which mercy forbids us to destroy?

We cannot eliminate the struggle for life which has made us what we are; we can but temper it; here is a limitation which even morality cannot disregard, because, though we may attempt to disregard it, it will not consent to disregard us.

The limitation which the proposed definition puts upon human action is at the same time a limitation upon human responsibilities. Justice is a struggle; and the success we can obtain in the struggle is at best a partial one; the extent of the success will depend upon our understanding and correct measuring of the tendencies opposed to us, and these tendencies are best described as the tendencies that make inequality and injustice in Nature. In this struggle we have to take account, not only of the active forces summed up in the predatory system, but also of the limitations of our existence—such as time and space. Life in this world is not eternal; we only have a certain number of years to work in; any years that we devote to evils not within our own community are lost to the evils that are within it. We

have all laughed over the follies of Mrs. Jellaby in 'Bleak House'; and nothing indeed could be more ridiculous or pathetic than the spectacle of a mother who abandons her children in order to devote herself to the natives of Borrioboola-Sha. And yet if we understood that our duties to the community in which we lived had from the day we dethroned the king and undertook the work of governing ourselves become just as imperative upon us as our duties to our children we should ask ourselves—

Are there no poor about your door?
Are there no beggars in your streets?

before we assumed a responsibility not yet ours in a country not yet ours either.

It may seem as though we had travelled far from our definition of justice; but a very few words will establish the connection. It has been claimed for the proposed definition of justice that it not only describes exactly what justice is, but it keeps before the exorbitant demands of morality the limitations within which justice is, or ought to be, bound.

The struggle of morality against sin is no other than the struggle of justice against injustice; we inherit sin from our ancestors, as surely as do Hereford cattle their white faces or St. Bernard dogs their sixth toe; but this has been already too much insisted upon to require repetition; it is referred to here in order to confirm the argument that the struggle of morality against the immorality of Nature is identical with that of justice against injustice; and that both can succeed in the battle with the hostile tendencies in Nature only by understanding her laws, overcoming those tendencies which can be overcome, and mitigating the consequences of those which are still too powerful for us.

Another advantage claimed for the definition is that it puts limits not only to the demands of morality, but to the discursiveness of debate. If the discussion of political matters be studied from the mere point of view of the logician, it is astonishing how irresponsive it for the most part is. Huxley¹ takes up his pen for the purpose of refuting a few palpable errors, such as that we are still puppets in the stream of evolution and incapable of stemming the stream or even modifying it ; he shows that we are no longer puppets, but to an important extent masters of the stream. Leslie Stephen² answers with an elaborate statement of facts to prove that nevertheless the stream still flows, not one of which did Huxley ever mean to deny. Huxley did not contend that man had suppressed the struggle for existence ; he only showed that man had already proved himself to a great extent in control of it, and might increase that control. But Leslie Stephen suspects that under this argument lurks the poison of Collectivism, and he undertakes therefore to demolish the argument by a long array of the very facts upon which Huxley's argument itself is founded.

Again, James FitzJames Stephen undertakes to demonstrate the errors which underlie the extravagant demands made by J. S. Mill³ for personal liberty, and ventures to suggest that the savage claims of Individualism might be abated were there admitted into the debate such religious considerations as those of a future life. Frederic Harrison⁴ rushes to the rescue by twitting his adversary with believing in hell ; and when Sir James Stephen unmasks the hypocrisy that under-

¹ Huxley's *Methods and Results*, *passim*.

² Leslie Stephen's 'Ethics and Struggle for Existence,' *Contemporary Review*, August 1898.

³ Mr. Mill, 'Doctrine of Liberty,' *Fortnightly Review*, August 1873.

⁴ *Fortnightly Review*, June 1878.

lies the hackneyed appeal to 'fraternity' Mr. Harrison complains that he need not in doing this 'vociferate that he is an egotist and a misanthrope.'

It is difficult to arrive at clear notions upon any subject so long as we allow ourselves to be distracted by irrelevant abuse. Indeed, the questions involved are so momentous that it seems like a sacrilege to discuss them in any spirit but one of open-minded and concentrated attention. There is a very widespread ignorance regarding the principles which underlie legislation; and indeed, when we seek for these principles, we find J. S. Mill, Herbert Spencer, and others preaching one doctrine, and Huxley, D. G. Ritchie, and others preaching a doctrine quite opposite thereto; all are agreed that justice is a *sine qua non* of all legislation, but none are agreed as to what justice is. We are called to discuss the advisableness of municipal ownership of gas, tramways, and other franchises, State ownership of railroads; the scope of government; the system for selecting those who are to administer it; and except that one set of men is thoroughly imbued with the notion that the scope of government should be the least possible, and another set with the conviction that the scope of government should, on the contrary, be the most possible, it is difficult to trace in the opposing arguments any recognition of fundamental facts from which their arguments should start and upon which they should ultimately rest. It is this substratum of fact which the proposed definition is believed to have found; it furnishes something more than relativities, abstractions, sentiments, intuitions; it brings one straight up to a wall on one side and to a wall on the other—circumscribing the area of debate so that adversaries can cease wandering in search of one another throughout space, and, upon a definite and limited

arena, at last cross swords. And the walls which circumscribe the lists are laws of Nature—not the natural laws the jurists used to write so much about, and do some of them still to-day—but real laws of Nature, as to some of which there can be little reasonable doubt, and as to others of which there can be no doubt whatever.

Before abandoning this part of the subject it may be well briefly to sum up the main lines of the argument, so as to state it free from the incidental discussion without which it was impossible to present it fairly; and at the close to state concisely the conclusions to which we are led by it.

§ 18.—*Summary*

The law of Nature which determines the relations of animals to one another is the predatory law; that is to say, the law expressed in Latin by the words *lex fortioris*, in French by the words *droit du plus fort*, and somewhat ironically in English by the expression ‘Might is right.’

The law of Nature is essentially *non-moral*; it is indifferent to justice; it creates inequality in living beings; it favours the few best fitted to the environment and murders the rest; it does this often under conditions of extreme cruelty.

Not only does this cruelty characterise the methods of Nature in the relations of individuals living alone, but it also characterises her methods in those cases where animals are driven by the necessity of self-protection to live in communities. In other words, neither equality, nor justice, nor mercy, characterise community life in Nature; on the contrary, some communities—as,

for example, those of bees—exhibit cruelty of a remarkably refined as well as wholesale character. The gross inequality that exists amongst animals that live alone or in families is not lessened by community life, but sometimes increased by it. In the first case, the individual is sacrificed to the species ; in the second case, the individual is sacrificed to a community within the species ; and, of course, in ultimate analysis, as in the former case, to the species itself.

The only communities in which there is any conscious effort to resist the *lex fortioris*, or law of might, are communities of men ; and these communities differ from those of the lower animals in the fact that the latter sacrifice the individual to the community, whereas man seeks to make the interests of the community serve those of the individual. In the attempt to do this, man is reversing the process of Nature ; and the conflict with certain tendencies in Nature imposed upon him in this respect sets him in opposition to Nature in many others. The principal points in which man is engaged in resisting Nature are summed up on page 286, and need not be repeated here ; they all tend to demonstrate that when we undertake to analyse the more or less unconscious motives which have actuated man in the development of civilisation, they seem to resolve themselves into the desire to equalise the natural inequalities of men ; that in so far as a civilisation has succeeded in doing this we regard it as having advanced in the direction of justice, whereas in so far as a civilisation has failed in doing this we regard it as not having advanced in this direction. When, however, we consider in the light of these conclusions the various definitions of the word ‘justice’ which have been submitted, we are struck by the fact that most of these definitions do not attempt to define the thing justice

itself, but only our apprehension of it ; very much as physicists up to this century, in their attempts to define light, because they did not know what light itself was, went astray in their efforts to define our sensations of it. There is nothing in our sensations of light to tell us that light is a wave ; so there is nothing in our sense of justice to tell us that it is the resistance of man to certain tendencies in Nature. We must rid ourselves of the prejudices caused by our sensations of light before we can get at the fact that it is the movement of a molecule at right angles to the axis of the ray ; so must we rid ourselves of the prejudices caused by sentiments of justice before we can satisfy ourselves that the thing justice, as distinguished from our apprehension of it, consists in a struggle against certain tendencies in Nature with a view to repairing the injustice or inequality which her conditions impose upon the individuals of our race.

Unfortunately, our struggle with Nature has not been an altogether successful one. Though we cast out one devil in one place, and cause the place to be swept and garnished, the devil is very apt to return to us with seven other devils more wicked than himself ; and the immense diversity in the opinions of men regarding the measure of our success and failure in this struggle is the source of all our disputes regarding justice. We each of us have standards of justice that have been unconsciously created for us by our environment ; and we measure by these standards the merits of the various social and political institutions which come within our observation ; but these standards are not created by a clear understanding of the struggle in which we are engaged, an unbiased recognition of the magnitude of the obstacles Nature puts in our path, or an honest admission of the hypocrisy which is for ever magnifying objections to modifying the *status quo*. On the contrary, these standards

are formed, for the most part, unconsciously, and are the curious resultant of two strangely opposite influences—the constant motive engendered by an industrial system which is summed up in the maxim ‘Every man for himself, and the devil take the hindmost,’ on the one hand, and on the other the maxim of Christ, ‘If any man sue thee at the law and take away thy coat, let him have thy cloak also.’

The industrial influence enjoys one important advantage over that of Christ; it is operating every hour of every day; and upon the extent to which it prevails depends all that contributes to comfort and luxury and self-indulgence in this world; whereas the maxim of Christ is seldom heard more than once in seven days, if then; upon its observance depend neither comfort, nor luxury, nor self-indulgence, but their respective opposites; and its promises are to be performed not in this world but in another, regarding which it is probable that comparatively few are any longer effectually concerned.

Under these conditions it is impossible that sound ideas on the subject of justice can prevail. Every citizen is taught by existing industrial conditions to believe that the only just political system is the one which will enrich himself; those that have are convinced that the present system is as good as can be, unless it be improved so as to make what they already have more, and those that have not are convinced that the present system is wholly bad and must be changed, so as to make the rich man’s too much theirs.

So long as we regard the problem of government from either of these two points of view our conclusions must be worthless; for quite outside of the selfish ends of the ‘haves’ and the ‘have-nots’ sits Nature, with her apparently implacable laws, some of which will break us if we try to break them, whereas others will cease to

be implacable if we offer them intelligent resistance. The duty of the political student is to turn aside from the contentions of selfish men, and satisfy himself that he knows the laws of Nature with which he has to reckon before he attempts to set up for himself or for others standards of justice. Sentiment on the one hand, and selfishness on the other, have too long created our standard for us. If we are to have a standard which can be raised and followed in the practical warfare of life, and to which the wise and honest can repair, it must be one that is consistent with the facts that surround us, and not made to suit the fancies of one set of men or the greed of another.

What, then, are the facts and laws of Nature which at the same time limit our capacity to attain justice, define our responsibilities in regard to the same, and, as it were, stake out the arena within which we can at all properly discuss them ?

§ 14.—Facts and Tendencies of Nature that limit our Efforts to attain Justice, our Responsibilities in regard to these Efforts and the Arena for Useful Discussion regarding the Same

Our first task in attempting to answer these questions must be to recognise the errors which are crowded in the term 'natural rights.'

There are no natural rights.

Nature—that is to say, the objective world as distinguished from the conscious effort of man—knows no rights.

The paramount law of Nature which determines the relations of animals to one another is the predatory law, under which every animal is either the butcher of another or its prey.

The predatory system is a part of the law of

evolution which, prior to the advent of man, mercilessly sacrificed the unfit to a changing environment, occasioning development in a favourable environment and degradation in an unfavourable.

This process was automatic.

All animals tend automatically to conform themselves to the environment.

If the environment favours degeneration of a race, the race will tend to degenerate.

If environment favours advancement, the race will tend to advance.

The tendency to conform to environment applies as much to temperament as to function.

When the only weapon furnished by Nature is facility for flight, the struggle for life—that is to say, the environment—develops fear.

When the weapon furnished by Nature is a fang, the struggle for life—that is to say, the environment—develops ferocity.

When the weapon furnished by Nature is intelligence, the struggle for life—that is to say, the environment—develops craft.

When the environment changes, all forms of life, whether animal or vegetable, change accordingly.

Man has put in the place of this automatic process one that is in part deliberate, and can become wholly so.

He has created an environment which sets his purpose above the capricious changes of Nature.

But in the struggle with Nature he is confronted with certain forces against which he is still powerless.

His success in the struggle will depend upon his knowledge of the beneficent elements in Nature which he can summon to his aid, and of the maleficent elements in Nature against which he has to maintain a perpetual conflict.

With the unhappiness that results from such elements in Nature as tempest, earthquake, and personal unattractiveness, political institutions seem powerless directly to deal.

With other elements in Nature, such as variability, heredity, selection, environment, the political student is bound to grapple.

Our social and political institutions are the principal factors in the creation of the human environment and the human selection which have replaced that of Nature.

Man has effected a change in environment to which all animals necessarily tend to conform themselves.

Effect of the Human Artificial Environment on Lower Animals, as compared with that of Nature

The carnivora dangerous and useless to man disappear.

The carnivora useful to man are perpetuated in proportion to their usefulness.

The herbivora useful as beasts of burden or as food are perpetuated in proportion to their usefulness.

Effect of the Human Artificial Environment on Man, as compared with that of Nature

UNDER NATURAL SELECTION

Only the fit survive.

Therefore millions perish as a direct consequence of the struggle.

In communities the individual is sacrificed to the community.

There is little self-restraint.

Lust

Ferocity

UNDER HUMAN SELECTION

The unfit also survive.

Therefore few perish as a direct consequence of the struggle.

The community exists for the individual, not the individual for the community.

There is much self-restraint.

Is tempered and in part replaced by Love and hence Mercy.

Is tempered and in part replaced by Courage and hence Patience

UNDER NATURAL SELECTION	UNDER HUMAN SELECTION
Craft	Is tempered and in part replaced by Morality and hence Wisdom.
Fear	Is tempered and in part replaced by Respect and hence Reverence.
Selfishness	Is tempered and in part replaced by Unselfishness.
Climate is paramount. The environment would mould man. The dominant force is the environment of Nature.	Climate is partly replaced by Art. Man moulds the environment.
There is no justice.	The dominant force might be human effort enlightened by human wisdom, both engaged in constituting an artificial environment. There is an attempt at justice.

The effort of the moral qualities that characterise human selection to modify the non-moral or natural qualities that characterise natural selection has been incomplete and in great part unsuccessful. The result of the effort has been to create institutions which constitute a compromise between natural selfishness and human unselfishness ; in this compromise natural selfishness still greatly predominates over human unselfishness. The consequence of this is that the artificial environment which man has created, being the exclusive product of neither natural automatism nor of human wisdom, has lost some of the advantages of the one without acquiring all of the other. Nevertheless man has formed to himself an ideal type which he recognises as the one towards which he should direct his efforts, because the attainment of the ideal type would result in greater happiness for man. For if mankind were wholly unselfish, the unhappiness which results from selfishness would disappear. In so far therefore as man advances towards the unselfish type, he to that extent improves ; in so far as he falls away from this type, to that extent he degenerates.

If now we study the operation of the artificial environ-

ment man has created for himself with that of the environment Nature has furnished him, we shall be struck by the fact that in some respects the human environment is less favourable to the attainment of the ideal human type than that of Nature.

UNDER NATURAL SELECTION

The struggle is for life.

The nature of the type favoured is the necessary and unconscious result of the natural environment.

The type favoured by Nature perpetuates itself.

UNDER HUMAN SELECTION

The struggle is for wealth, power, and consideration.

Human Wisdom seeks to favour an ideal type which shall be the conscious result of Art.

The type favoured by Wisdom and Art does *not* perpetuate itself, but, on the contrary, it is the type admitted to be furthest removed from the ideal type that is the chief factor in the perpetuation of the race.

Struggle for life therefore is replaced by struggle for wealth.

Similarity between the Struggle for Life in the Natural and in the Artificial Environment

Both appeal equally to selfishness.

Difference between the Struggle for Life in the Natural and in the Artificial Environment

The struggle for life in the carnivora appeals to and develops courage and craft.

The struggle for wealth appeals to and develops craft without courage; for the struggle for wealth has the protection of the law:—it teaches to take advantage of the weaknesses, necessities and mistakes of others, and to lie in the taking of such advantages. Examples of

this are found in the maxim of law '*caveat emptor*,' in lying advertisements, and in adulteration.

*Difference between the Actual Artificial Environment
and the Ideal Artificial Environment*

The struggle for wealth is the law of human life.

But the struggle for wealth is inconsistent with morality, which teaches 'Do unto others as you would they should do unto you.'

The law of life is imperative; the law of morality, though it should be imperative, because it does not deal with the necessities of life, is, as a matter of fact, only advisory.

Of the two the law of life therefore tends to prevail.

And so the struggle for wealth determines conduct. Morality hardly does more than keep alive an aspiration that is unrealisable so long as the struggle for wealth remains the paramount aim of life.

Morality affects only the comparatively few who are comparatively free from the compulsion of the competitive system. Those still within the influence of the competitive system tend to be committed by it either to hypocrisy or indifference.

Conclusion.—Our social and political institutions should be so modified, if possible, as to make the environment created by them consistent with the dictates of morality, so as to tend toward the perpetuation of the moral rather than to that of the non-moral type of man.

However unsuccessful may have been human effort in creating an artificial environment fitted for the work in view, nevertheless the differences between the selection exercised by the human environment and that exercised by the natural environment are so great that

the attempt to apply the principles of natural evolution to man cannot but lead to error.

This is the error of the philosophy which exaggerates the analogy between society and an organism, and therefore deprecates the application to it of art or the intelligent development of the functions of government. This error is nurtured by the fact that wisdom has not presided over the making of the human environment; history shows that our existing human environment is mainly the result of conflict; that is to say, that it has been the outgrowth of a perpetual struggle of the oppressed against the oppressor. The result of such an outgrowth cannot be wholly good, for the tendency of it is to put selfishness at the helm instead of wisdom.

But wisdom has at certain periods of history contributed largely towards just institutions; the intelligence of such men as Solon, Lycurgus, Moses, Numa Pompilius, Servius Tullius, with an imperfect sense of morality, could, if enlightened by the morality of Christ and the increased knowledge of the nineteenth century, replace a government which is the offspring of selfishness by one which shall be the result of deliberation and unselfishness. But to effect this we must be clear as to what justice is.

Justice has been defined to be the effort of man to repair the non-justice of Nature—or, in other words, to diminish the inequalities of ‘bounds and benefits’ to which Nature subjects man—and particularly to make the community serve the interests of the individual, instead of sacrificing the individual to the community.

This effort, having been so far in human history conducted by selfishness rather than by wisdom, has so far been only to a small extent successful; it tends to replace the natural *régime* of courage and craft by the *régime* of craft without courage; and whereas under the

one muscularly strong men tend to be lords over the muscularly weak, under the other muscularly strong men tend to become the slaves of the physically weak. So far the result of human intervention has been unjust rather than just, for instead of suppressing inequalities it has suppressed one class of inequality only to give rise to another. Nor can the tendency to substitute craft for courage be said to be improving to the type; on the contrary, the standard of wealth which it has raised has been shown to be sordid and degenerating; and above all it is inconsistent with the morality of Christ, which we profess.

But some of the inequalities and imperfections imposed upon us by Nature are such as we cannot by mere political institutions correct.

And yet the morality of Christ aims at nothing less than perfection.

Those therefore who have the responsibility of framing political institutions find themselves between two apparently irreconcilable conditions—the imperfections of Nature, and the perfection demanded by the morality of Christ.

It becomes their duty to distinguish what are the imperfections of Nature which political institutions can correct, and what are the imperfections which they are powerless to correct.

Let us recapitulate briefly some of the most important imperfections and inequalities to which we are by Nature condemned.

A.—Natural Inequalities

I.—Inequalities of men :

- (a) Inequalities of birth.
- (b) Of physique : (i) of health, (ii) of strength.

- (c) Of intelligence.
- (d) Of character or morals.
- (e) Of personal attractiveness.

II.—Inequalities of climate and of soil.

III.—Inequalities arising from animal and vegetable enemies :

- (a) Microbial disease to men.
- (b) Microbial disease to domestic animals.
- (c) Ravages to crops.
- (d) Poisons.
- (e) Weeds.

IV.—Inequalities due to accident: storm, earthquake, &c.

In our efforts to diminish the consequences of these inequalities to the individual we have created an entirely new set of inequalities that did not exist before—*e.g.*:

B.—Artificial Inequalities

I.—Marriage and prostitution.

II.—Wealth and poverty.

III.—Inequalities of education—under which, though in a less degree, might be repeated all those under the head of inequalities of birth.

IV.—Industrial conditions, over which individuals have little or no control—*e.g.* progress in art due to inventions; changes of currents of trade due to conquest and colonisation; changes of tariff.

Of these inequalities some are beyond the immediate influence of political institutions, *e.g.* differences of personal attractiveness—much of the joy of life arises from personal attractiveness; much of its sorrow comes from personal unattractiveness. These are, for the most part, beyond the immediate influence of political institutions. The idea therefore that government can

secure happiness is a profound error. It is conceivable that under an ideal government the removal of removable causes of pain might, after many generations, diminish differences of personal attractiveness ; but as far as we can see, there must always remain sufficient difference to give rise to sexual selection, and so long as sexual selection takes place sexual jealousy will remain to torment and divide us. We cannot, therefore, insist too much on the fact that all the misery that comes from the 'pangs of unrequited love' is beyond the reach of government. No mere political and social institution, then, can make a people altogether happy.

The same is true, though in a less degree, of other inequalities of birth.

No political or social change could, or should, eliminate inequalities of physique, of intelligence, and of character ; though by eliminating artificial inequalities of education it is obvious that inequalities of birth would tend slowly—but very slowly—to diminish.

The effects of inequalities of climate and soil, especially those that are local and temporary (*e.g.* drought in one region, floods in another, &c.), could undoubtedly be eliminated by making them fall harmlessly upon the whole community instead of ruinously upon a part of it, though there are great difficulties in the way of such a solution.

Inequalities arising from animal and vegetable enemies can be dealt with only by an alliance between government and science—an alliance which is already effective in such political institutions as agricultural bureaus, health boards, and quarantine regulations.

But last and foremost of all in their claims upon our attention are those artificial inequalities which result from man's own interference with Nature—inequalities of wealth, inequalities of education, inequalities of

marriage, and the industrial inequalities which result from these three.

Great as may be the obstacles to the elimination of these inequalities, it seems as though there were no justification for them *in Nature*. They are the result of our own bungling attempts to dam the current of Nature's stream. If this be true, it seems an imperative duty that we should slowly and eventually complete our handiwork by substituting for a clumsy patchwork of unconscious growth and unwise construction a system of government which shall eventually be clear in its purpose and effectual in its design.

Now, what should be this purpose, and what should be the main principles of this design? Clearly the purpose should be to attain justice; or, in other words, to eliminate all the natural inequalities between men which are injurious to happiness and *can by political and social institutions be eliminated*. And the main principle of our design for so doing should be the recognition on the one hand of just what inequalities in Nature injurious to happiness government can eliminate, and what of these natural inequalities government is powerless to eliminate; and proper allowance on the other for the conditions of human temperament which make sudden changes of social and political institutions ineffectual and injurious.¹

The effects, then, of the proposed theory of justice upon the limits of discussion, seem to be the following:

¹ It must not be concluded from the text that all inequality is deemed injurious to happiness; on the contrary, inequality is an essential element of variability, and variability has been shown to be indispensable to progress. The effort of man to eliminate inequalities which has been characterised as the essential element of justice must be confined to those inequalities which are injurious to happiness—such as inequalities which tend to enable some men to oppress others—whether these inequalities result from Nature or from our bungling efforts to improve on Nature.

So-called natural rights should be eliminated therefrom absolutely and for all time.

Certain inequalities of Nature injurious to happiness cannot be affected by government at all. *Perfect* happiness is, therefore, not attainable by mere social and political change. It should not, therefore, be the test of political expediency. Perfect happiness could only result from individual perfection of character and conduct; and this belongs to the province of religion, not to that of politics. The real test of political expediency is justice; that is to say, the diminution to the utmost possible of inequalities injurious to happiness that are imposed by Nature, and *à fortiori* of those created by man.

The real purpose of government being to diminish these inequalities, political measures should be tested, not by the usual standard of profit and loss in dollars and cents,¹ but by the truer standard of benefit to the individual and the race.

So long as we are subject to the competitive system, dollars and cents must figure largely in our calculations. But students and statesmen should recognise that the ultimate object of sound legislation is slowly to put an end to a system which, under the pretence of protecting the weak, has enslaved the strong, and which, though appealing to standards of morality, in fact offers its rewards only to the selfish, and, with a disregard for the race as merciless as that of Nature herself, smites its best types with unfertility, while it condemns its lower types to a fertility of despair.

The aim of government, then, should be to attain justice—that is to say, to diminish inequalities between

¹ The tendency to determine political questions by the standard of profit and loss is illustrated by the books that have been written to prove that the State should not own its own railroads because in some States that do own them the railroads are not made to pay.

men—and the limitations of government must be recognised as determined :

1st. By inequalities of Nature which are beyond the control of government.

2nd. By imperfections of human temperament, which, because the units of society are organic and not inorganic, yield to changes of environment only by slow degrees.

But the imperfections of human temperament which to-day render improvement in political institutions difficult are themselves in great part the result of the defective and unjust political conditions which prevail.

The study, therefore, which comes next in order is how far these imperfections of human temperament, being themselves the consequence of unwise political institutions, may not yield to a sufficiently gradual change in them ; and if so, what political measures could best effect this change in temperament with least danger to the community and to the race.

§ 15.—Justice regarded as a Virtue

Before, however, leaving the study of justice, there is another point of view from which it must be examined. An account of justice that regards it simply as an act would be incomplete ; for the word 'justice' is used as much, if not more, to designate a quality or virtue. In order, therefore, to complete our notions of justice, it will be indispensable to examine somewhat closely what virtue is ; for justice is one of the virtues ; and as long as we are left for our knowledge of virtue between the claims of individual intuitionists on the one hand, and those of utilitarians on the other, it is difficult to find that sure foothold which is so indispensable to positive political conclusions. The discussion of this subject

will be found to be intimately associated with a question already discussed—the contrast between the evolution of man and that of the lower animals—and will serve to illustrate the contrast, if not to demonstrate it.

Philosophers who have studied ethics from an examination of human qualities without regard to the conditions which give rise to them are like botanists who should study plants and trees from an examination of what can be seen of them above the surface of the earth without regard to that part which is below it. Without the knowledge that plants owe their existence to the subterraneous germination of a seed, and their nutrition to the vascular system of subterraneous roots, it would be impossible to understand correctly any of the functions of the flower and the leaf. To such ignorance it might seem as though these last could serve no purpose save to satisfy some imagined æsthetic sense in the plant or contribute to the convenience of man. Volumes could be ineffectually written upon this hopeless question. The disputants would naturally divide themselves into several schools; the intuitionists would contend that every vegetable had an intuitive love of beauty which inspired its method of growth and urged it towards the development of increasingly beautiful combinations of colour, of fragrance, and of form; the utilitarians would bring crushing arguments to show the total absence of all evidence of the existence of such intuitions in plants or elsewhere, save in the minds of those who imagined them; and the opportunists, nicely balancing the arguments of the two former schools, would contend for the adoption of a theory that would admit them both. Nor would it be possible for these schools to agree as between arguments none of which had any foundation in fact, until some child less sophisticated than they should pull a carrot from the ground, and by calling

attention to the root set them upon a more useful, though possibly less transcendental, inquiry. It is possible that some such confusion as this has tended to prevent the discussion of ethics from resulting in substantial conclusions. The effort will therefore be made here to trace the development of so-called virtues from the root, and study them as effects of previous conditions rather than as causes of new ones.

§ 16.—*Evolution of Virtue*

The tendency of philosophers prior to this century seems to have been to regard virtue as existing unexplained in man, rather than as the result of his slow development. Nor could it have been otherwise so long as man was ignorant regarding this development. Now, however, we know just how so-called virtues have developed, and we are no longer driven to invent theories regarding them.

The conditions which permitted only those carnivora to survive which were sufficiently fierce, and those of the herbivora which were sufficiently timid, have been already explained ; as also those which slowly developed social qualities out of the herding instinct. It is not necessary therefore to elaborate anew the steps through which Nature endowed the tiger with courage, the deer with docility, and the ant with altruism. None of them could have survived had they not possessed these qualities respectively ; or, in other words, those who had these qualities survived, and the rest perished.

It is not usual to apply the word 'virtue' to the lower animals except in the loose sense in which the word is used to describe the virtue of steel or that of medicine. The derivation of the word 'virtue' from *vir* (a man) is perhaps more profoundly philosophical than

our entomologists have generally admitted :¹ it may be that virtue was never confined to courage, nor even primarily used as such ; but that it was from the start used to indicate the quality of man which specifically differentiates him from the lower animals. And if this be the case it would be improper to apply the word to any animal save man. As this is a part of the question which presents itself at every point in the evolution of man as contrasted with that of the lower animals, it is well that we should give it close attention.

We have no difficulty in recognising that selfishness is at the very foundation of Nature's predatory system. Every animal, every tree, every vegetable is seeking nourishment at the expense of all who compete with it. Synchronously, however, with this rampant egotism we see the slow development of an opposite tendency ; thus the individual cells of the myxomycetes and the sponge are drawn together to satisfy a common need ; weak animals herd to defend themselves from the strong ; and the social instinct reaches its highest development (outside of man) in such communities as those of ants and bees.

The first point that it seems important to dwell on in this story is that the qualities in animals that we call virtues in man seem to develop exclusively out of social relations. Amongst the carnivora they arise out of the affection of one sex for the other, and that of the parent for the child ; in the ant they arise out of an extension of affection from the family to all the members of the same community. And the more highly developed the community, the higher is the order of social quality to which it gives rise. For example, when a

¹ The accepted derivation finds in the root *vir* the manly qualities which were above all prized in the Roman State—chief among which was courage.

pack of wolves pull down a steer, every wolf devours that part of the steer which it can tear away. But when ants kill a caterpillar and pull him to pieces they do *not* each of them devour the morsels they bear away; on the contrary, they each of them take every morsel so torn away to the nest and return for another.

The generally accepted explanation of this difference is that wolves can survive best on the condition of every wolf looking out for himself alone; whereas if ants proceeded upon this plan they would be exterminated; the communities of ants the individuals of which acquired the habit of working for the nest rather than for themselves in their competition with communities the individuals of which worked for themselves rather than for the nest were the ones that survived; the rest perished. The development in ants of what we would call altruism in man seems to have been purely automatic. We have no reason for believing that every time an ant tears a delicate morsel from a dead worm he is beset by the temptation to devour it himself; that in every case there is a struggle; and that in every case the sense of duty prevails over the anguish of appetite. It seems altogether more consistent with what we observe in the ant and in all the lower animals to believe that the very constancy of their actions and habits precludes the possibility of moral struggle. The wolf always devours what he can; the ant always carries his portion to the nest.

It is the constancy of an animal's conduct under the same conditions which characterises instinct and differentiates it from what in man we call 'will.'

The admission must be made that this rule is by no means without exceptions. Wolves carry food to their cubs; bees rob honey from one another; and it is probable that the development of instinct in animals is due

to occasional deviation from habit due to the exceptional action of some 'sport'—exceptional action which when beneficial is communicated to others by the principle of imitation, and eventually perhaps of heredity. Into these exceptions, however, it does not seem necessary to enter. By and large it may be safely said that animals proceed according to instinct; that is to say, in accordance with a habit which they are practically powerless to resist.

Obviously, it is at this point that the contrast between the conduct of the lower animals and the conduct of man can most strikingly be struck. Obviously man, although his conduct is determined for the most part by habit, is *not* powerless to resist it. On the contrary, it is man's ability to resist habit which makes the essential difference between man and beast. Enough has been said about the conflict of man with certain tendencies in Nature to prepare the reader for the application of this principle to ethics. Every man is born into the world with certain tendencies to conduct which as they develop are known as virtues or vices, according as they recommend themselves to the community in which he lives, or according as they are denounced by it. Every man is subjected in childhood to an artificial environment which educates or degrades him according as it is good or bad. And last, but not least, every man is as he reaches majority more or less capable of self-education, and by this self-education of enhancing the qualities which promote social improvement.

Now, the so-called virtues are the human qualities, whether derived from inheritance or education, which in the opinion of a given community tend to promote social welfare. And the difference between the community of Nature as illustrated by an ants' nest, and the community of man as illustrated by a modern city, is that in

the one case progress and welfare are determined by the automatic action of the environment over which the individual has no control, whereas in the case of man progress may be, and to some extent is, determined by the deliberate action of individual and collective wisdom in modifying the environment, and thereby ensuring one that will promote progress and prevent decay. The evolution of Nature often tends to be from progress to degeneration ; that of man, if wise enough, may be continuously from progress to progress. The evolution of Nature involves the lapse of interminable years ; that of man may, if wise enough, be shortened by effort.

It must be carefully noticed that virtue under this definition does not profess to be the same in every community ; on the contrary, the definition makes it differ in every community according to the wisdom of the community. So that in a community such as Rome, which was founded upon patriotism, courage was deemed the greatest virtue ; whereas in a truly Christian community courage would be pushed into the background by humility. Virtue seems, then, to be in part a matter of opinion ; but only in part, for it is probable that if a community were perfectly wise virtue would cease to be a matter of opinion. For in a perfectly wise community there would be no uncertainty about virtue ; those qualities would be regarded as the most essential virtues which were best calculated to promote progress and welfare in that particular community ; the community would be perfectly clear as to what justice is, and it would therefore in its efforts to be just not be confused by ignorance as to the very object at which it aimed. Thus, if the community were surrounded by dangerous enemies, the qualities that go to make a good soldier would be recognised as indispensable to it ; whereas, if it were protected from invasion the qualities

that make a peaceful and law-abiding citizen would become correspondingly preferable.

It seems, therefore, as though virtue were subject to two conditions : conditions of wisdom in the community, and conditions of environment without it.

This does not mean, however, that there is no such thing as absolute virtue ; but rather that absolute virtue can only be realised in a perfectly wise community situated in an environment perfectly adapted to progress and welfare.

It has been shown in the preceding pages that such conditions are not realisable to-day ; nor can we to-day see how they will in this world ever be realisable at all. Nature has been shown to contain conditions of unhappiness which seem altogether beyond the reach or remedy of man. But Nature has been shown, too, to contain conditions of happiness which are far from being realised to-day. The mission of man, then, seems to be to study Nature with a view to securing the conditions most calculated to contain happiness ; or, in other words, to create an environment most calculated to favour the virtues or the social qualities of man, due account being taken of the difficulties which stand in the way of such an environment. Now, these difficulties may be divided roughly into two categories :

(1) Difficulties which result from the conditions which surround man, *i.e.* the environment.

(2) Difficulties which result from the conditions within man, *i.e.* temperament.

Amongst the former are those which result from the physical conditions of Nature—such as climate and food supply.

Amongst the latter are those which result from natural selfishness, natural appetites, natural pride, natural ferocity, natural unchastity.

From this point of view as from others man seems pitted against certain tendencies in Nature in his struggle for self-improvement. That part of the struggle which consists in resisting the difficulties that result from the conditions which surround man—that is to say, from the environment of Nature—and substituting therefor an artificial environment more propitious to the happiness and advancement of the race, seems to constitute the *rôle* of justice considered as an *act*, and to give rise to the science of politics ; and that part of the struggle which consists in resisting the difficulties which result from the conditions within man—that is to say, from human temperament—seems to constitute the *rôle* of justice considered as a *virtue*, and to give rise to the science of ethics.

Let us, then, look a little more particularly into the virtues themselves ; that is to say, into those qualities of the mind which contribute to social progress and welfare.

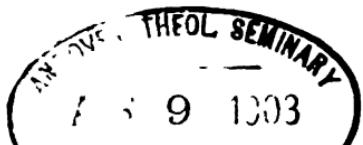
We have already seen that they may be distinguished into two classes—those we inherit, and those we by education develop ; and that the latter are the undoubted result of human effort.¹ But there is another classification of virtues which we must bear in mind if we want to get clear ideas of what justice is. For some virtues are clearly for the most part subjective or qualities of the mind ; chastity, for example, is a quality of the mind which is little, if at all, complicated by problems of conduct. A chaste woman will without effort act chastely ; unchastity would be horrible to her ; purity constitutes to her a law which it is difficult, if not impossible, for her to disregard. Veracity is similar to it. A naturally

¹ Whether inherited virtues are to any extent the result of human effort depends upon the extent to which we adopt the Neo-Lamarckian theory of evolution.

truthful person will spontaneously tell the truth ; it will require effort for such a one to tell a falsehood ; the occasions when he may be tempted to lie are so few that they may be disregarded. Other virtues are, on the contrary, for the most part objective ; that is to say, they are complicated by problems of conduct. Justice is of this character, for, however just a man may be, he may at every step find it impossible to act justly. His duty to his country may call upon him to sacrifice his friend ; his duty to one man may make it impossible for him to escape from doing injury to another ; and the occasions for such injustice may be multitudinous, as in the case of every rich man whose wealth is not so great that he can relieve all the misery that he sees, and yet is sufficiently great to make retention of any part of it seem unjust so long as thousands of his fellow-creatures are to his knowledge in actual want.

No virtue, however, is purely subjective ; virtues are all more or less complicated by problems of conduct. For example, it may be asked of chastity—is it chaste for a woman to marry a man she does not love ? or of generosity—is it moral to give alms to a pauper ? or of veracity—is it moral to lie to the insane ? Even a chaste woman may be tempted, by disappointment in married life and a late discovery of what love is, to act unchastely ; even the generous are induced, by the conviction that giving alms will increase pauperism, to refuse them ; and even a truthful person may be tempted, by the certainty that truth will injure an innocent person, to tell a lie.

The struggle in these cases is one not between virtue and vice, so much as between wisdom and ignorance. Nevertheless, as regards chastity, generosity, and veracity, it is comparatively and generally easy to determine conduct.



But as regards virtues, such as justice, which are much complicated by problems of conduct, it is often impossible to know how to act justly, because we are not clear as to what justice is, and because our social institutions do not permit of it. Under these conditions we are liable to error in two directions : through defect of virtue or of mental habit, and through defect of environment or political institutions. For example, a rich man may err because he is not himself just, and because for this reason he is concerned with his own happiness and not at all with the happiness of others ; or he may err because, however concerned he may be with the happiness of others, he is lacking in the necessary wisdom or power so to modify his environment or political institutions as to make it possible for him to act justly.

And these two sources of error react upon one another. The unjust rich man is continually engaged in maintaining an unjust environment ; and when challenged to be just, answers by pointing to this environment as one which makes justice impossible. And the rich man who desires to be just, generally ends in giving up the effort or in misdirecting it, through a failure to recognise where in the environment his enemy injustice lurks. In this way a defect of virtue contributes to maintain an unjust environment ; and an unjust environment contributes to maintain a defect of virtue.

One of the most pernicious results of this reaction is, that because the sense of justice differs in consequence of it with every environment, virtue seems to be purely relative ; a matter of caprice or fashion, changing at every national boundary, without much consequence to national character ; whereas virtue, so far from being a matter of little consequence, is the one thing which differentiates man from beast, and the extent of its

development ought to be a direct measure of civilisation. It is recognised as a direct measure of civilisation because we have learned to regard progress in material things as the principal test of high civilisation. If we regarded progress in the sum of human happiness as the test of high civilisation, our ideas about the value of virtue would probably change. When we come to the study of political institutions we shall have to examine this question a little more closely. It is only necessary now to point out that here a new field of inquiry seems opened to us by the analysis of justice attempted in this chapter. We can never be clear about what the purpose of government or civilisation is, so long as we imagine that our imperfect inherited instincts regarding justice, or the vague notions regarding justice which we pick up in the course of an education misguided by an unjust environment, are the only guides we have as to what justice really is. We must distinguish from these vacillating and crude ideas of justice the task which social life imposes upon us in the search for the highest happiness. This task does not depend on accidents of instinct, sentiment, or education. On the contrary, it is as real a thing as the task of securing food ; the obstacles in our way can be made almost as clear ; once we see them clearly, we may effectually strive to overcome them ; until we do, we are fighting an enemy in the dark.

As regards justice, therefore, there is far more room for education and wisdom than as regards those virtues which have been called 'subjective' ; and for this reason importance has been attached to distinguishing in such virtues as justice that part of it which is subjective from that part which is objective ; the one constituting the virtue or quality of mind, the other constituting its acts or conduct.

The purpose of this book being to attain correct ideas of human evolution, with a view to determining the rôle of government therein, we are more concerned with justice as a rule of conduct than as a quality of the mind ; for the one is a political question, whereas the other belongs rather to ethics. Nevertheless, politics and ethics cannot here be altogether separated ; but it is possible in studying the one to avoid too detailed a study of the other. The ethics of justice have therefore been entered into only so far as seemed necessary in order to prevent the discussion from ignoring an essential part of it, and in order to throw light upon that part of human evolution which develops social qualities or virtues by effort, as distinguished from natural evolution, which develops social qualities only through the automatic action of the environment. And upon this last point a word still remains to be said.

It is probable that if a vote were taken of students of ethics as between hedonism, intuitionism, and utilitarianism, those in favour of utilitarianism would represent a considerable number ; and yet this considerable number would probably admit that the religious world is still almost¹ unanimously intuitionist. This is probably due to the unwillingness of religious people to compromise with principle. Hedonism is dreadful to them, and utilitarianism has to them all the appearance of a compromise with hedonism ; the very name 'utilitarianism' seems to condemn it. The divine is the aim and rule of the religious ; not the useful. And although the true meaning of the word 'useful' has been a hundred times expounded, old prejudices against it survive, against which the voice of argument seems powerless.

¹ Almost, not altogether ; see James FitzJames Stephen's essay on 'Utilitarianism,' published at the close of his *Liberty, Equality, Fraternity*.

Moreover, it is possible that utilitarianism has occupied itself too much about the ends of virtue, and not enough about the beginnings of it. Herbert Spencer, who has given us probably the best account of the natural evolution of virtue, has, because he was wedded to determinism, ignored the cardinal factor in it—the factor of will. Now, it does not seem possible to eliminate the question of determinism altogether, and yet give its due value to the operation of human will ; and as the word 'will' has become overgrown with a mass of subsidiary meaning, it may be wise to use, instead of the word 'will,' the less sophisticated word 'effort.' The question whether the will of man is free may be left to metaphysicians, if we recognise what seems to be the undoubted fact that man can by education—of one man by another *and of every man by himself*—create habits in conformity with a deliberate purpose. Now, if this deliberate purpose is enlightened by wisdom ; if wisdom demonstrates that virtue is the conscious development of social qualities ; that in proportion as man develops social qualities he becomes able to eliminate most of the occasions of unhappiness that Nature presents to him ; that this virtue is identical with the best that all our best religions have taught us ; that this virtue can be certainly developed only through the effort of man ; that the capacity and exercise of this effort are common to the 'deportment' of Confucius, the renunciation of Buddha, and the charity of St. Paul ; that their aim is to replace competition by co-operation, battle by peace, and hatred by love ; that they distinguish man from beast, and constitute the mark of the cross which the divine in Nature has at the birth of man put upon his brow, then the religious objection to rational ethics disappears, for rational ethics become thereby reconciled to the ethics of religion.

There is an element in virtue which, though generally associated in the mind with it, has not always been yielded the importance it is believed to possess. Reference has already been made to the application of the word 'virtue' indistinguishably to man and beast; underneath this failure to discriminate between the inherited instinct of the lower animal and the acquired virtues of man, there lurks still more subtle opportunity for confusion. For it may be urged that in so far as man inherits instincts of virtue he is virtuous by nature, and that to this extent he is beyond the field of human effort. And upon this contention Herbert Spencerians may, as it were, rebuild their favourite theory that Nature's *rôle* in the evolution of man so much predominates over that of human effort that it is wiser to leave the development of virtue to Nature than to subject it to the interference of man.

It does not seem necessary, however, to leave this vantage ground to the doctrine of *laissez faire*. For although in the social qualities of man which we call virtues a large part is inherited instinct, a very little consideration will show that even as regards that part of virtue which man inherits the question whether it shall throughout life prevail or not is mainly determined by human effort. Persons endowed with such inherited instincts as generosity, tenderness, and devotion, are undoubtedly less tormented by the necessity for effort than those who are born into the world with less of these social qualities. But even these inherited instincts cannot be depended upon to prevail in the frequent temptations presented by the crises of human life. Even a Griselda may be driven by the infidelity and harshness of her husband to abandon him; and ingratitude may at last wear out the constancy of tenderness and generosity. No man, then, who desires to lead a virtuous

life can hope to do so without the exercise of effort. Those of us who are most endowed by Nature will have to exercise least effort ; those less endowed will have to exercise more ; but effort is an essential factor of human virtue, whereas it is conspicuously absent from the qualities in the lower animals that correspond to virtue in man. Here, then, we have once more brought home to us the essential difference between man and beast—the capacity for effort, and the need of it.

As regards acquired virtues, the struggle is still more pronounced. For a man who is naturally ungenerous has first to be persuaded that he should be generous before the effort to become so is possible. It must be admitted, therefore, that virtue is sure to be characterised by struggle sooner or later. And the struggle lies between three different tendencies : Tendencies to act in conformity with reason or interest ; tendencies to act in accordance with instinctive egotism ; tendencies to act in accordance with instinctive altruism. Is there in this struggle any sure guide ? Probably there is no sure guide in ethics only ; but is there not a sufficient guide in the combined study of ethics and politics ? For ethics seem powerless to promulgate a code of conduct so long as the political institutions under which we live are inconsistent with its exercise. It is only when we see a way to remove the obstacles presented by political institutions inconsistent with justice that we shall be able, not only to establish a code of conduct, but to live in conformity with it.

Now, ignorance stands in the way of the clear insight which seems as necessary to ethics as to sound government ; it was the consciousness of this ignorance which made Socrates define virtue as identical with wisdom. We have seen just what part wisdom plays in determining virtue ; and we have seen that it is an essential

part. It involves a clear recognition that the task presented to man is to repair the inequalities of Nature that are injurious to happiness in so far as he can by wise institutions repair them ; to create an artificial environment which will have regard to the welfare of the individual as well as to that of the community ; to remember in creating the environment that man is an organism and not a machine ; and to modify the environment only so fast as the organism can conform to it, and no faster.

This is the task which a careful study of justice seems to present to man. But the knowledge of this task is useless to him unless he has the power to avail himself of it. This power is what has been dwelt upon in man's capacity by effort to accomplish with certainty, continuity, and comparative speed what Nature has accomplished only through countless failures and an interminable time.

But this capacity of effort is to-day bolstered in man by many devices—some of them natural, and some of them artificial—without which, if they were suddenly removed, man might be powerless. Religion is one of them ; selfishness is another. And by religion is not meant only that reverence for the divine which is doubtless at the bottom of all religions, and peculiar to none ; but rather the religion which comes to some men in the shape of a creed, to others in the shape of a priest—which is inseparably connected in some minds with Papal Infallibility, Apostolic Succession, and a particular date for celebrating Easter ; while to others these things are an abomination unto the Lord, and nothing is to them of any importance save total immersion in baptism. And by selfishness is not meant only the natural propensity to satisfy our animal needs, which man will doubtless inherit to the end of time, but also the perverted view of those who believe that all human

progress will stop the moment, if ever, man ceases to fight with man for the possession of wealth. All these beliefs, religious and economical, are a part of the human problem ; they are a part of the difficulty which stands in the way of wisdom and wisely directed effort, and he would lack wisdom who should disregard them.

The capacity of man for effort is not unlike that of an infant which has to be supported at first by leading-strings. The supports which Nature has in part furnished man, and which man has in part furnished himself, can only be parted with gradually as his strength grows. We cannot, therefore, be too sure that we know just what his strength to-day is, just what props he to-day leans on, and just how soon and by what methods they can be slowly removed. It is the study of man, then, his machinery and his institutions, that comes next in order.

§ 17.—*Conclusion*

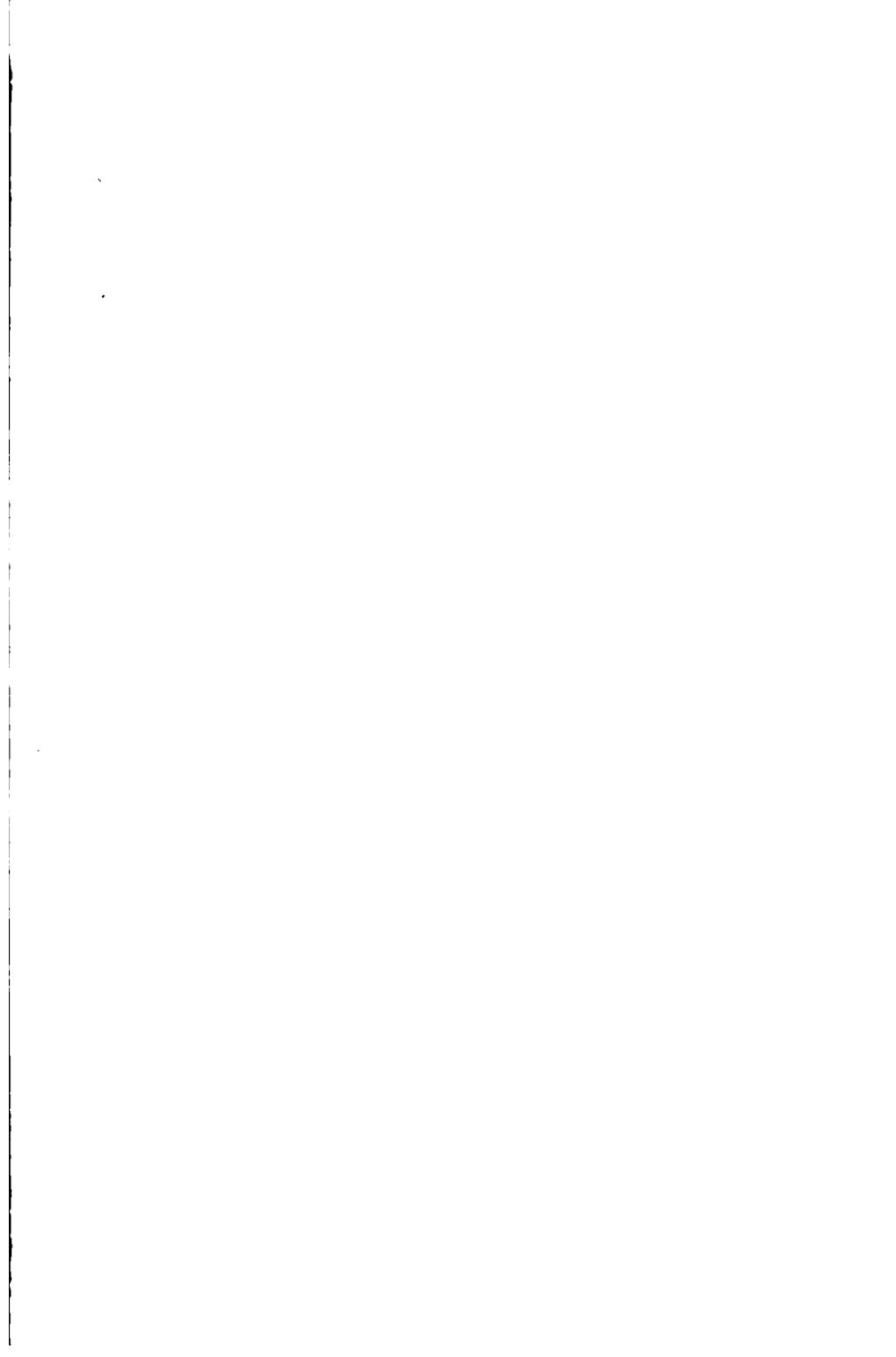
In conclusion, therefore, in order to get a complete notion of justice we must regard it from two opposite points of view. From one point—the subjective point—as a quality of the mind—a virtue. In so far as the virtue is inherited, it belongs for the most part to the domain of Nature ; in so far as it is acquired by education, it belongs to the domain of effort. Whether inherited or acquired, it is determined by the environment—natural and artificial. If the artificial environment be wise, sentiments of justice are likely to be sound ; if the artificial environment be not wise, the sentiments of justice it creates are likely to be unsound.

From another point of view—the objective point—justice is an act, a rule of conduct. As such it is no longer subject to the uncertainty and relativity which characterise sentiment and virtue. Science furnishes us with light through which our rule of conduct is made

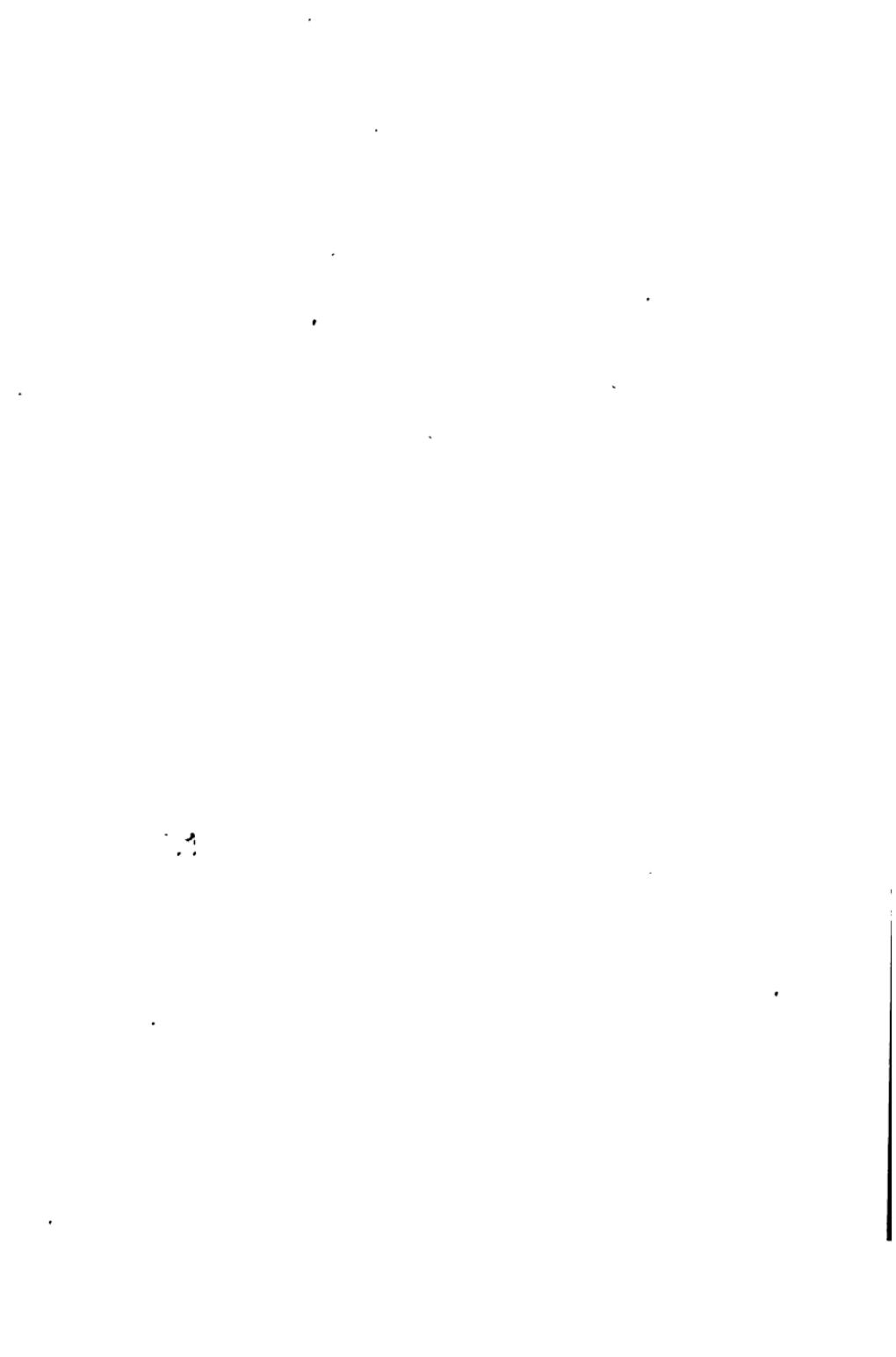
comparatively clear. Justice may, then, be described as the effort to eliminate from our social conditions the effects of the inequalities of Nature upon the happiness and advancement of man, and particularly to create an artificial environment which shall serve the individual as well as the race, and tend to perpetuate noble types rather than those which are base.

This—which may be regarded as the task of justice—cannot be accomplished without taking account of the fact that man is an organism—the product of an evolution which has been determined in part by the Natural environment—and that as such he cannot be exposed to sudden changes of environment without defeating the purpose of such change. This consideration leads us to a study of man, and particularly to that view of him which assumes him to be still so far a part of Nature's predatory scheme that no motive will prove sufficient to keep him in the way of advancement except the motive of egotism. This theory is commonly known under the name of Individualism. It has practically determined the development of civilisation up to this day—except during brief periods and subject to influences that are for the most part secondary. Our next study, then, will be that of the history of Individualism ; selecting as before only those periods and incidents which throw light upon its action in the past and its probable tendency in the future.

Ultimately an effort will be made to compare Individualism with Collectivism, and to determine, if possible, within what limits they may respectively be permitted to play a part in institutions deliberately framed with a view to securing the largest measure of justice possible.









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